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THE FUTURE GOVERNMENT OF INDIA



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THE FUTURE GOVERNMENT OF INDIA

BY

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PREFACE

At all times pledged to good government, England's task in India to-day is to pledge herself to Self-Government, retrieving the neglect and mistakes of the past, making up for lost time and wasted opportunities. Such a responsibility would have devolved upon her at this moment as a direct consequence of all that has transpired in India since 1833, and particularly of the changes effected in 1892 and 1909, even if the present World-War had not broken out. Its outbreak and its progress for over forty months have taken the problem of Indian constitutional changes out of the discretion of the Bureaucracy and lifted it above the level of optional obligations of the ruling country. What would be due to India in legitimate compliance with her long and persistent demand has, on account of the War, acquired an imminence that can no longer remain unheeded without serious detriment to British prestige and international unity. The problem now is to determine the lines of our advance. It is with this question of practical moment that this book deals in a critical and constructive way. The scheme of reform offered for consideration here is intended to be given effect to immediately by suitable statutory provisions, and is so designed as to give minimum room to contention

and controversy on the ground of an abrupt and sudden break with the past. A revolutionary change need not necessarily be brought about by violence and disorder, by strife and bloodshed. It may be effected by peaceful ways and means dictated by a frenzied desire to begin with a new order of things, especially when so much of the past is eligible for condemnation. Such a desire is apt to be rendered attractive by a mistaken perspective in which many factors get out of view and escape detection, and many others are brought too near the line of vision and loom large. Any reconstruction in India at the present time in a manner that effaces the present in so far as the constitutional mechanism is concerned is bound to land the undertaking in an experimental quagmire. A constitution that is expected to grow is not made on paper based on theoretical deductions or with the help of models from other lands and which have grown under other conditions. It is no masonry work. We must set our face against "copying," and completely eschew the art of designing from first political principles. British rule has been in India for decades. It has acquired, notwithstanding mistakes of policy and impulse, a certain character as British Indian Rule; our task now is to make it conform to national ideals and requirements in those respects in which it has remained a foreign rule, but not to make it a still more foreign rule in the mechanism we are to devise and in the machinery that is to be established. Multiplication of political machines designed on *a priori* assumptions has answered nowhere, and British distrust of them, so happily congenital to the race, must be particularly alert in the matter of effecting changes of such a kind.

"Responsible Government" occurring in the statement made by Mr. Montagu in Parliament has been virtually interpreted in one quarter to mean Government for the first time and liberty to go back upon what has already acquired a constitutional value. On the other hand, we have, at present, to effect not even a constitutional change, but only to furnish a transitional pathway for a constitutional change. From one point of view all enduring changes are in fact no more than transitional changes. The best of constitutional histories is no more than a series of transitions, with periods of violent distemper which have only served to bring into greater relief the inherent superiority of timely transitions. This is so, because growth is transition. Forgetting so essential a fact, to deduce from the term "Responsible Government" a series of abstract propositions and to proceed to construct a scheme based on them is to convert a process of growth into a process of pulling down and putting up. Far from following such a plan, what is attempted in the following pages is to take up the mechanism as it is and to bring out its inherent potentialities, leaving it at the same time responsive to necessary changes in the near future. In this respect the method will be found a thorough contrast to the scheme drafted in Calcutta by a joint body of Europeans and Indians, an outcome of the well-meaning but totally ill-equipped efforts of Mr. Lionel Curtis, who seems to believe in all earnestness that the Indian constitution is a fit pastime for holiday constitution-makers of the Empire, whose acquaintance with Indian conditions begins with their attempt to draft a new constitution for the country!

Amongst other schemes promulgated and deserving

notice is the one produced by a joint committee of the Indian Congress and the Moslem League. It is happily free from the fundamental vitiation of the Calcutta Scheme. It falls, however, far short of the necessary momentum in the very first essential principle of infusing responsibility in the supreme and provincial legislatures, and entirely fails to make provision for the evolution of a representative legislature, which in course of time will create its own responsible executive. It perpetuates the present constitution of legislative councils with the executive entering as a component part, an executive not appointed by them, not liable to go out of office on account of an adverse vote, not in fact a Parliamentary executive, but the Indian Bureaucracy pure and simple as it is. It is not meant that the scheme is defective, because it does not provide immediately for a popular legislature which will create its own executive. Had it in fact aimed at it, it would have aimed at too much for the time being. But its deficiency lies in the fact that it does not furnish even that necessary transitional stage for such a legislature coming into existence, while the entire problem of Indian constitutional development is deeply involved in finding such a solution. As it is, the Congress-League scheme is a skeleton without a backbone, a mass of executive and legislative, of bureaucratic and representative elements, so beaten together by provision of powers and responsibilities as to leave one in wonder whether after all its result will not be merely to weaken the Bureaucracy without proportionately strengthening the popular element as a responsible representative factor. With a weird and mixed body of a hierarchy of officials and non-

official public men under the name of a legislative council still continuing, there can be neither a legislature, representative of popular interests and answerable to the people, nor an executive which will be on its way to become responsible to such a legislature, gradually owing its place to the legislature itself. So long as the very men who are called bureaucrats and whose system is called bureaucracy form an integral part of the legislature, the popular element cannot but lack a feeling of responsibility inherent in itself, and the officialdom cannot but labour under the notion that its old function survives, subject to having to placate an opposition that cannot govern in turn and will not allow it to govern in its own way. If we add to these elements of radical weakness in the system the claim of the Congress-League scheme for a certain proportion of the members of Provincial and Supreme Executive Councils to be elected by the legislatures, the picture of bureaucratic helplessness and of non-official powerlessness will become complete. What really operates as a check in politics is not so much owing one's place to the choice of others, as the wholesome fear of having to vacate the place at the choice of others. It is the fact that one may not be returned again, that one who fills a place may have to quit it if he fails to behave to the satisfaction of the party to whom he owes his selection, it is this that is of value and not the bare appointment. The whole question is whom will the elected member of the executive council have to please *after* his appointment? Not certainly the legislative members who elected him for the place or the "panel," at whose hands he has nothing to expect, and less to fear; but the bureaucracy from whom will still

continue to emanate the stars and stripes, the dignities and decorations, and which stimulates the sense of gratitude which is so happily translated as a lively sense of favours to come. To concede this demand of the Congress League of all demands will be to consent to a most demoralising arrangement by which the discredit of the appointment alone will fall to the lot of the popular party—since the members will have no means of controlling the person appointed and he will have everything to care for from the executive of which he becomes a part. Moreover, how can it be possible for any Cabinet or Government, or Bureaucracy, for any controlling agency to take a colleague from the choice of others, while any colleague-to-be must inspire their confidence to be so taken? We can understand a person as the premier of a Cabinet being given the confidence of a legislature, but it is an infantile arrangement indeed for a legislature to elect by a formal vote the colleagues of the premier. Unheard-of devices indeed! Verily because it is not the part of organisations like the Congress and the Moslem League to draft a scheme in addition to making a demand for the beginnings of representative government.

There was a time when the executive in India, with one or two nominees added to it, was the legislature as well. Now non-official representative members are a component part of the legislature with the executive as its dominant part. The next stage is a legislature composed solely of popular representatives, whether the executive is its creation or not, and whatever may be the present nature and extent of the control that may be exercised over it. Just as in administration the executive has to be

separated from the judiciary, so in governance it has to be separated from the legislature. The scheme proposed in the book towards this end is a transitional scheme, suited for the present stage, providing for the executive a place in the legislature, not as a constituent part, but for purposes of influencing its deliberations and vindicating its views and measures before a representative body. From this initial difference all other differences in detail between the Congress-League scheme and the scheme presented here have their origin. The control sought to be exercised over the executive is likewise a transitional arrangement in which all existing factors are given a constitutional value until the coming of the time when the representative element will take precedence subject to the veto of the sovereign power. In leaving the Viceroyalty of India merged in the office of the Governor-General as at present, the Congress-League scheme makes no provision for the evolution of a system in which, while there will be room for a shifting head of the administration, there will be a permanent representative of the Crown who will correspond in function and purpose to the King in England. The need for separating these two constitutional factors has been discussed in the book, and the utility of the suggestion may be easily imagined after what the Princes of India have come to be in the estimation of the British Empire since the War. In two particulars, in regard to compulsory primary free education and the institution of a simultaneous civil service examination in England and India, I take a different view from the usually favoured one with ample justification therefor, which is far more greatly serviceable to the interests of the country

at large, securing, as will be seen, more efficiently the end we have to attain. In regard to Parliamentary control of India, not only is the abolition of the council urged, but a practical way has been suggested to effect the abolition. In all other respects, while avoiding abstract constitution-making, the book is a systematic constructive exposition of reforms too long delayed, aiming at a fuller use of existing factors and endowing them with greater vitality and fuller scope for action within the legitimate sphere of each, so as to make India by necessary adaptation and adjustment from time to time a fully self-governing part of the Empire in the near future.

Reference may be relevantly made here to a topic that has suddenly overspread the political atmosphere of some parts of the country like an exhalation from below. A demand has been made in some quarters for the representation of "communities" in the supreme and provincial legislatures, apart from representation of territories or interests. A more grotesque and less intelligible proposal has never been made in the history of political agitation. One who is called upon to deal with it feels that he has to deal with an attempt to hold water in a sieve. Those who have urged it have not chosen to pause to inquire if communal representation is to be in addition to or in lieu of representation of interests and territories. In either case, however, the lack of principle is the same and the idea of a legislature composed partly or entirely of representatives of communities is equally original and beyond comprehension. A community strictly so designated in India is one among the families of which intermarriage obtains by custom and practice. Nothing can be more misleading than

to think of Brahmins, or of non-Brahmin Hindus of any of the three other main castes, as a single community. A Brahmin community in any province of the country is a sociological fiction. There are Brahmins, and Brahmin communities, but no Brahmin community comprehending them all. To think of the "Konkanees," the "Sarasvaths," the "Thulus," the "Neyogees," the "Vaidiekees," the "Sri Vaishnavas," and the other numerous sections of the South Indian Brahmins as a single community is to indulge in a bit of conscious sarcasm or to pay an unconscious and undeserved compliment. If we turn to non-Brahmin Hindus we have to descend to the classification of the three main divisions of Kshatriyas, Visyas, and Shudras, and wade our way through a number of main divisions and numerous subdivisions of each before we get at a communal unit. When we have got at these communities, is the legislature to be composed of their representatives, irrespective of interests or territories, or are we to have a council in which each interest will be represented on the communal basis, *i.e.* each interest being represented as many times as there are communities? Or, are we to have in the legislature, in whatever manner it may be elected, a number of representatives whose qualification will be that they do not represent any interest in particular beyond those represented already, that they are not there in virtue of any uniform system of communal representation either, but are given a place because they have the negative qualification of not being members of a particular community? Such a nondescript body will have not only all the drawbacks of a legislature constituted on the communal basis, but the additional stain of

withholding communal representation from particular communities.

A legislature strictly on the communal basis will be a pilgrim gathering, a Kumba Mela of Haridwar on a small scale ; on the basis of interests multiplied by the number of communities, a bewildering modern babel in legislation ; on the basis of legislative donations to a number of communities exclusively by preference over and above the representation of civic interests—a wanton anomaly which would soon become unworkable, because no community will care to forgo what another is given, and it could not but aggravate schismatic tendencies within and foment open and secret disaffection against a Government that constructs a legislature by communal preference. An Englishman can imagine to some extent the difficulties of introducing the communal element by picturing to himself a legislative body for the entire Christendom on a communal basis, comprehending the Nestorians of Asia Minor, the Syrians of Malabar, the Anglicans of the United Kingdom, the Catholics and Protestants of different denominations, and by further imagining that each of the various Christian communities is strictly exclusive of the rest for purposes of marriage, by custom, ritual, and religion in all cases, and by law also in most. In whatever way communal representation may be introduced, wholly or redundantly or preferentially and punitively against some community, the vice of utilising as a factor in politics what is not of politics but merely a bundle of traditions for purposes of domestic exclusion or inclusion is a vice too hideous to be ignored or chastened.

From the time of and prior to Asoka, through all

the intervening periods of the rise and fall of kingdoms and empires, of ruling houses and dynasties, the peoples of India have been divided into innumerable communities—but neither as political factors nor for purposes of politics. It would be too amusing a frame of mind to try to believe that there was no politics in India prior to the establishment of British Rule. On the other hand, it was then that we had politics in abundance. Both when the Pandiyas and later the Nayak Viceroys of Vizianagar held sway, when again the Cholas reigned in Tanjore, and were succeeded later by Nayaks and Mahrattas, the rulers were all Hindus but not Brahmins. In Mysore again both before and since the " Odeyars," the rulers were and have been Hindus, but not Brahmins, excluding the period of usurpation. In Travancore and Cochin, then as to-day, and throughout the Malabar Seaboard then, the rulers were Hindus but not Brahmins. Numerous tributary chieftains and commandants of troops holding large military fiefs were almost all non-Brahmin Hindus. Whatever system of government was designed in any part of the country was designed irrespective of communal considerations, except that the Kshatriyas as rulers were looked upon as the divinely appointed arm for protection and governance. But in the body-politic the Vellala accountants were not less conspicuous than Brahmin Dalawaiys; Nayak Captains and Brahmin " Khajanjies " were answerable to the same authority irrespective of the community to which any of them belonged. Civil and military efficiency and character had nothing to do with communal considerations. Ancestry and family no doubt held good, but they held good in the case

of all communities alike. If the communal factor did not operate prior to British Rule as a matter of inherent worth in determining political relationship, if it did not influence the consolidation of British Power through its successive stages for a hundred years and more, if it had no part in knitting provincial administrations, in evolving codes and systems, in displacing efficiency and honesty in the service of the State, if British political policy has unfailingly drawn its sustenance from its inherent tendency to make for identity of political interests despite communal differences,—is it to be seriously contended that the time has now come for going back upon all these and to construct a legislative chamber composed of representatives of groups of families, as though its function is to regulate communal customs, crafts, creeds, and rituals ?

Still, the origin of this idea is not without an instructive historical background or a vicious impetus from a section of those who have had a share in shaping the affairs of the country. It will necessitate a chapter to unfold the effect of a great centralised administration for a century, wedded to non-interference, sterilising the germs of social expansion by rigid legal interpretations, arresting interaction and free-play from within, unintentionally offering a premium to a life of exclusive self-centredness, a system in which for a great many things which count in life every one has had to look to a foreign official door, thereby minimising communal self-reliance and interdependence—it will take a chapter to unfold the effect of such an administration in gradually diminishing the confidence and cordiality that would have otherwise existed among the various communi-

ties of the country. Furthermore, the natural incapacity of European races to understand the inner significance of the life of the Indian, to appreciate the deeper spiritual outlook of the people, affected the development of their Indian policy and created subtle difficulties unknown in the history of the country. Fifty years of a grossly defective educational policy and an administrative system which was based on the assumption that the rate of progress in all matters was bound to be slower in the East than in the West, while on the contrary it is capable of being in a sense quicker in some, has introduced into Indian political practice the dubious postulates that Asiatic races are unfit for Self-Government, that Self-Government means Government by representatives elected in accordance with an irreproachable system of election, that political representation by means of election is admissible only when the electorate is educated and has received political training according to Western standards, that communities which do not possess these qualifications in full must receive special treatment as if their political interests varied with these qualifications and differed from those of the other communities, and that in India which has divers creeds and peoples there can be no representative Government without communal representation—these are some of the postulates which have come to influence a section of Anglo-Indian administrators. They have their genesis in the attempt of the local authorities to mask the evils which have resulted from their social and economic policy and which threaten to increase in the future. Results which are due to those defects are attempted to be traced to cleavages in society on account of

religion. Political principles are thus crippled in their action by being connected with religious divergences; and it is not surprising that the communities which are loudest in their demand for communal representation are the very communities which have suffered by the exploitation of British merchants and by the deficiencies of a narrow, illiberal system of education along with an economic policy culpably ill-suited to the conditions of the country. In fact, representative Government in India can only be in their conviction a strange mixture of incompatible elements destined to degenerate into Government by representatives of groups of families, each of which followed its own social, ethical, and ritualistic code. There could be, *ergo*, no representative Government in India. In their solicitude for religious freedom and equality of opportunities they worked to the conclusion that all these guarantees of British dominion will be jeopardised unless every political machinery was designed to make room for the representation of what in fact can be accurately described as inter-marital groups. But for those ties which religion and social structure have kept alive, in spite of the cleavages due to them, the effect of a foreign rule with these silent articles of political and administrative faith over so long a period would have benumbed national consciousness and left the country a collection of mutually repellent communities, each of which touched the Government at a point and lived for itself, except for commercial intercourse. But the Hindu genius for co-ordination and integrity amongst widely divided social factors in spite of racial, linguistic, and credal divergences, and in spite of foreign initiative in government, has

saved the Hindu Society from what would have otherwise been national annihilation. Nevertheless, the process of social ossification due to British rule would have been gradually remedied with greater political expansion, with the centres of social adjustment restored to fresh life, and with a larger and more copious supply of elements tending to nationality. But, when the time for such expansion first came, an attempt was made, on the other hand, to divert the first scheme of Reform towards a communal slough by the powers that be in India. It is noteworthy the suggestion then made emanated entirely from the authorities who thought in an unaccountable manner that if communal distinctions did not exist for purposes of political representation, they at any rate called for it. The interrogatories circulated by the Government of India expressly called for opinions on the proposal. However, there was more political sanity as well as political incorruptibility in South India especially between 1907 and 1909 than eight years later. The proposal was uniformly condemned by every non-Brahmin Hindu of any note, and the Government had to drop it with the sensation of a man who had taken his pigs to a wrong market. That idea, regrettably enough, succeeded in another quarter with the Mahomedans, and Lord Morley fell a victim to the introduction of the thin end of the wedge. The merits of this question are dealt with in the section headed "Morley's Mistake." Ten years after this truly catastrophic recognition a fresh impetus has been given to it now, and that blunder has come home to roost. Are the authorities, more responsible than the Indian Civil Service, are they to walk in the track of the blunder then

committed and provide for Provincial and Supreme legislatures composed of representatives, not of interest or territories, but of groups of families which are inclusive or exclusive for purposes of marriage and dining? If such be the evolution of Indian Legislative Councils, a more poignant humiliation cannot be imagined. The ashes of Sodom would become the harvest of British and Indian labour. Such a sacrilegious mutilation of our efforts in the past and of our hopes for the future, no man of any race or colour with the least title to a modicum of political sanity can countenance. If, in any measure, they commit themselves to such a policy it could only be to help those who desire to discredit themselves and others, to turn an orderly progressive efficient business body into a travesty of legislature, a mimicry shaped for impotence and failure, a mockery out of which nothing but disappointment can emanate, if not ineradicable mischief. Instead of retracing the steps from where Morley left us in this regard we would be moving neither forward nor backward, but downward into a dim and dark cavern of increasing confusion. The writer is aware of the strength of language he has employed, but when the Empire is engaged in a devastating war, a few individual members of the Indian Bureaucracy have lent themselves to fomenting communal dissensions as a strategic move to stay the beginning of the end of unhampered bureaucratic power. It is not unlikely that an ear may be lent to this demand which was unanimously and unhesitatingly, item by item, almost scornfully repudiated in 1909 by the very persons some of whom have now figured under bureaucratic inspiration as leaders of this demand,

which is as incomprehensible as a political scheme as it is a negation of all political antecedents of India even prior to the advent of the British. It is no doubt true, rather pitifully true, that a kind of recognition has been given to communal representation in certain schemes prepared under other than bureaucratic influences, and which should have known far better. But what is incomprehensible from one quarter is rarely rendered less so from another. The explanation seems to be that, in the great anguish not to forgo the opportunity presented by the events that have steadily led up to political expansion in India by want of a certain measure of unanimity among those who press for reform, and with a view to counteract the forces of disunion, the desire for a compromise, however ridiculous and devoid of political understanding it may be, has unfortunately asserted itself. But such a recognition can no more make a scheme of communal representation workable than it would have been in its absence.

The question of a Second Chamber has exercised some thought, partly as a result of the demand for communal representation, and partly as a claim from a small section of landed magnates for the exercise of special political influence. Although a Second Chamber may in certain constitutions come to be a fifth wheel, there is no instance worth relying upon for introducing a Second Chamber as a fifth wheel to begin with, even as a matter of theoretical constitution-making. The bodies dealing with the political and administrative affairs of a country are not a species of debating societies, although they decide questions by voting after debate. They must have living roots as growing constitutions. To

mass together a number of permanently settled estate holders or to mass together men of wealth and call them a Second Chamber and go about in search of powers to be exercised by them will be to provide for all the complications of a meddlesome, hampering "fifth wheel." What is called a Second Chamber we have now in the Bureaucracy itself—with ample powers to act as a restraining factor, and as a balancing and steadying element. In its presence, and even after the popular element becomes a greater power than it is now, there is room only for a Lower House, or the present First Chamber. At the same time we cannot but foresee an early day when the Bureaucracy will no longer exercise this function of restraint when it ceases to be a factor in government. A Second Chamber cannot be brought into existence all of a sudden then; and unless it comes into existence as an organic part of the body politic, it will be a wanton imposition, an importation of a foreign matter, with meddling as its function. The solution for this difficulty has been found in the District Assemblies to be constituted for purposes of representation to the District authorities and dealt with in the chapter on District Administration. These assemblies will be in direct contact with the people and be representative of the people of every village and town in the administrative unit. A Chamber of Deputies elected by these District Assemblies will be organically connected with the life of the province, will draw its sustenance from live roots, and will prove neither unwholesomely sectional nor effete and senile in results. The present Legislative Councils representing institutions and interests will then become the other Chamber, and the Chamber of Deputies will play the part of

an efficient First Chamber, in direct contact with the people through their constituencies of District Assemblies, which will not act like an artificial electoral college, but discharging other functions will be a " functional institution " in closest contact with the wants of the common people. Within a period of six years after the successful working of these District Assemblies the idea of a Chamber of Deputies composed of their representatives must be given effect to, and the question of delegation of powers to them may then be appropriately considered. What is of utmost importance now is to grow the roots of the new constitution in the districts themselves, just as the roots of the existing Legislative Councils have been grown in the Municipal and Taluq Boards and in the organisations of commercial, industrial and banking interests, learned professions and agencies for the diffusion of knowledge and culture. Once the roots of direct representation are grown in the districts they may be foreseen to bring forth a necessary stem to serve their purpose as a vital personality in the constitution.

Before concluding this preface I feel it my duty to express my indebtedness to Messrs. A. P. Watt & Sons, Literary Agents, and to Messrs. Macmillan & Co., Ltd., for the interest they have taken in the publication. My thanks are due to Mr. Doddi Srinivasa Rao, B.A., B.L., for the Index.

As this is not a theoretical treatise I thought its value would be enhanced as a book of constructive suggestions, especially at a time when there are schemes and proposals to perplex and confound responsible authorities in England, if it should be read by a competent person whose eminence both as an

official and public man will carry unquestionable weight. Dr. Sir Subramanya Iyer, retired Judge of the High Court of Judicature (Madras), has done me the honour of going through these pages, and I may reproduce what he has said of this book in a letter he wrote to the Private Secretary to the Rt. Hon. E. S. Montagu: "The difficult problems which it will be the Secretary of State's duty to solve in the immediate future with reference to the coming reforms will be found nowhere discussed with more intimate knowledge of Indian conditions and greater desire to suggest efficient practical remedies with as little interference with the existing mechanism as possible. The work is really an independent contribution to the subject, and in my humble judgment is not unworthy of careful consideration." In permitting me to quote this passage he has been pleased to add: "But for the terms it was but proper to use in addressing so high and responsible an authority, I would not have hesitated to say that, out of the immense mass of literature on the subject now pouring forth, it has not been my good fortune to come across an examination of the whole question so fairly critical and really helpful from the constructive point of view as that contained in this most readable of books. You have succeeded in unravelling and laying bare those fundamental elements indispensable to the construction of a sound and workable scheme of Constitution for India under conditions so peculiarly its own. However much one may range over the world of political constitutions of the present day, it is certain that no model could be found that would be of real help in the solution of the problems of our country. The nearest parallel is no doubt that of

Ireland. But even that fails to suggest the expedients without which our problem is not solvable. It is therefore gratifying that you have unerringly hit upon what alone is calculated to solve the problem satisfactorily."

K. VYASA RAO.

TRIPLICANE,
December 28, 1917.

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PART I

IMPERIAL

CHAPTER I

INTRODUCTORY

BRITISH control of India has reached a stage at which it may be said, without flagrant exaggeration, to have attained perfection so far as a system of government by proxy can do so. The time has yet to arrive when that control may be vested in Indian representative bodies subject to British Imperial supremacy. Between the stage which British rule in India has reached and the beginning of full responsible government, now accepted as the goal of British policy, lies the pathway of Indian constitutional development. The destiny of India under British rule, and the future of Great Britain so far as it may be influenced by India's contentment, fidelity, and progress, depend to no small extent on the generosity and discernment with which British statesmanship will guide the progress of India along this difficult pathway. Such guidance necessarily involves the easing of the burden of officialdom that has lain heavily on the country as a consequence of government by proxy. Almost every branch of the administration calls for a relaxation of the official grip, and has to be adapted to the advancement in public spirit and popular efficiency. Barriers of racial preference and prejudice, that have become

incompatible with the results of British efforts in India, and belie the traditions of British freedom and fair play, must be razed to the ground as having survived their time, and as provocative of disaffection and danger. Legitimate outlet has to be provided for qualified ambition chafing under untenable and provoking differentiations. Rural prosperity, which has been steadily declining, and involving in its decline the stamina and vitality of all classes of the population except the infinitesimal section of well-paid officials and prosperous members of the learned professions and of the commercial community, has to be revived by appropriate administrative and legislative action. Apart from all this, Indian government, in its character and outlook, in its vivifying impulses, in its capacity to open out a vista of realisable hopes, and to sustain the aspirations that have inevitably followed progress in England and abroad, should no longer be content to remain the mere unbending officialism that it now is. It must become instead of a machine a human institution, on which the people may rest their hopes for the future, and which will thus give them a cause which they will espouse and defend at all costs and risks. In a word, it must come to possess the character of a National Rule which shall inspire the affection and retain the attachment of the people as well as fulfil the obligations of a National Government. Great Britain's sacrifices in rising to this expectation will be a thousandfold made good by an India throbbing with confidence and gratitude.

Acceptable as such an ideal will be to the British nation, the difficulties lie in devising practical methods which will gradually bring it nearer realisa-

tion. Indian constitutional development does not differ from other desirable objects which have languished for want of constructive proposals of a feasible kind. It stands in no need at the present moment of denunciations which suggest no *via media*, and criticisms which offer no constructive alternatives. All the political and administrative problems of India are capable of being dealt with in a spirit and a manner that will tend to convince the people of India that the ideal of England is to make British rule subserve the purposes of a national rule. It is only a spirit of fatuity or of unthinking dogmatism that will contend that this cannot be done without disorganising the administration of the country or impairing its efficiency. Nor need the Indian Government remain any longer — 145 years after the passing of the Regulating Act—without making a start in constitutional development. If statesmen in power will not shirk the labour of thought, their political vision is easily capable of detecting ways and means of reconciling a rudimentary constitutional status for Indian citizens with immediate and ultimate British responsibility. Between government entirely from without, and government completely from within, both under British supremacy, there is a long way to travel—with many milestones to be reached and left behind. Indian aptitude for constructive criticism and British solicitude for Indian development have to be requisitioned for fixing these milestones of India's further progress under Great Britain. It ought to be possible, if the Indian constitution is to be developed at all, to ascertain the character of the period of progress that lies before us in the

immediate future. The goal will never be reached unless one stage be left behind for another. As the Indian Government is constituted at present, the question of practical moment is, what is the next constitutional advance which we may make, consistent with what has been accomplished and in keeping with the integrity of the present mechanism of government? If no such advance can be made, if no such next step can be taken, it will be futile to have our gaze fixed on some final consummation. What can rescue Indian politics from futility is the adoption of such constructive proposals of a practicable nature as will aid in the formation of a rudimentary Indian constitution. The fact is that politics, to bear fruit as a beneficent factor in human affairs, must not only excite the patriotism of the governed, but must lend itself to practical adaptation as well. It is often its failure to succeed in the latter rôle that has led to the shrivelling up of patriotic hopes and longings, ending in national apathy or impotent chagrin, in violent distempers or desperate and disastrous remedies.

If, from such considerations of Indian affairs, we turn to the position of Great Britain, events have taken place proving beyond permissible cavil that Indian constitutional development on right lines ought to be a matter of immediate consideration for Great Britain. The day is receding, as "Western civilisation" is advancing, when we may expect the world to slumber on the lap of peace. One menace after another will have to be vigilantly coped with and bravely faced at the hour of trial by any nation which may have possession of India. England, which has grown old in political supremacy as well

as political wisdom, cannot fail to comprehend the ambitions of younger nations desirous of dominating the course of world events. The peace of the world is best ensured by the domination of a country that has become used not only to power, but to the constitutional rights of the subject as well; that cannot become heady by the lead it has gained, having ever exercised a beneficent influence by its love of civic freedom and faith in constitutional safeguards. But it can continue supreme only so long as it is strong enough to protect itself from a perpetual possibility of aggression. Great as England's strength unquestionably is, it cannot but become appreciably greater by the splendid use she can make of India; nor can that strength fail to become perceptibly attenuated by the conversion of India into a possible centre of alarm in times of trouble. Territorial expansion without political assimilation has been the ruin of the empires of former times; as a rule England has hitherto evaded that danger by assimilating her acquisitions. India ought not to be an exception; and although the course of British rule assures us that it may not be so, the decisive turn has yet to be taken that will make this indubitably clear, and the time for taking this turn has now arrived. In one of his letters published just as the Austro-Serbian crisis was taking shape, the military correspondent of *The Times* made an observation which few would be inclined to modify or dispute, especially in the light of subsequent facts. "We have lost beyond recall," he said, "our old time supremacy at sea against any combination, while the failure of our people at Home to train themselves to arms ties the Navy to our shores, endangers our sea dominions and fetters the freedom

of our strategy. . . . The time is at hand when we shall have to call India and the Dominions to our Councils to survey the whole field of Imperial strategy and to establish a defensive system adequate to the needs of an Oceanic Empire." "To call India to our Councils" strikes the keynote of a policy already familiar and now almost insistent in its importance. If, however, the writer meant by 'India' the half-dozen persons who constitute the government of India, he missed the full significance of his own statement. In order that India may accept the call as an honour and with gratitude, she should enter upon a period of responsible association with England in regard to Indian affairs, as well as to questions of Imperial interest. If testimony be needed as to her fitness to enter upon this stage, it can be furnished to the satisfaction even of the Indian Civil Service. Speaking in January 1911 to a deputation of the Indian Congress, Lord Hardinge said of the reforms effected by Lord Morley: "To the material advancement of the Indian people has now been added a large measure of political concession in the expansion of the Legislative Councils on a wider representative basis, and in the appointment of Indians to the Executive Councils of the Viceroy and of Local Governments, as also to the Council of the Secretary of State. THESE REFORMS ARE STILL IN THEIR INFANCY AND REQUIRE CAREFUL CONSOLIDATION." Still, these reforms, *while yet in their infancy*, have effected a transformation in the character and outlook of the Council Chambers of India, as has been admitted in no faltering terms by so competent and careful an authority as the late Finance Member of India, Sir Guy Fleetwood Wilson. In one of the

speeches which he made in England, soon after his retirement, he expressed himself as follows, touching the effect of the Morley Reforms: " . . . All of a sudden there burst upon India a really representative body which expressed the opinions of educated Indians. It came as a great shock to a great many people, and I do not think I could possibly have coped with it — I daresay I did not cope with it happily—at any rate I struggled there with it—had it not been that as a private secretary I had had to sit under the gallery of the House of Commons for year after year during the debates. It was really a small House of Commons, composed of men with brilliant intellects and men who were extraordinarily hard-working. The mind of an Indian will assimilate knowledge rapidly, their receptive capacity is good, and it is really a very serious matter to cross swords with them in debate. *It must be recognised that educated Indian opinion is an opinion which must be viewed with the greatest possible respect and regard.* It is a very important item in the administration of India now; though it used not to be. Its criticisms of financial transactions are of the gravest and soundest character very often, and it will become daily more important for a Finance Minister to be perfectly sure of his ground in dealing with them." We have only to add to Sir Guy's testimony, that what he says of the Imperial Legislative Council is equally true of all the Provincial Councils as well, and that all of them put together contain but a small fraction of the men of capacity whom the country can supply for helpful and patriotic co-operation with the Government in the control of Indian Administration. It is clear that Indian constitutional development

must mark a period of growth from "infancy" before India can profitably be called to the Councils of the Empire; albeit that infancy has been admitted to be of no mean or negligible promise.

In such a combination of circumstances, no one who has any regard for the enduring good of India and England, for the strength and unity of an Empire that has a mission in the history of the world, will dispute the value of constructive schemes in regard to the Indian Constitution and Administration. Differences of opinion must always be expected in the discussion of political questions; but there can be no difference of opinion as to the utility of diverting political discussions into constructive channels, at a time when the initiation of a new era is not only looked for, but is becoming inevitable by the force of events. It is easy to dispose of constructive proposals as "Constitution-mongering," and to label criticisms of administrative blunders, anomalies and iniquities as captious fault-finding. But if these constructive proposals are mainly an elucidation of the best possible ways of improvement, the cheap ridicule of a vacuous mind averse to intellectual effort or of an incurable political bias, is no more than a sign of political irresponsibility, to be guided by which will be to stumble into a pitfall. If the criticisms are an exposure of the real sources of political danger, it will be criminal indolence to give them a bad name and refuse to look at them. If Canadian discontent had not been remedied in time; if the South African States had not been trusted and endowed with a complete measure of political responsibility; if the Irish claim had not been the concern of a great political party which has refused to be

thwarted by constitutional obstacles or overawed by unconstitutional intimidations; if in India itself the Curzonian regime, which was but the consummation of bureaucratic ascendancy, had not been succeeded by an epoch of reform and the still more memorable era of reconciliation ushered in by the Imperial visit, the strength of England in recent months would have been split up to keep under restraint forces which have most willingly supplemented British resources in men and materials. With such an experience England cannot credit the counsels of those who are prepared to neglect the sources of genuine and legitimate discontent, to ignore grievances and hardships which have been again and again unavailingly ventilated, to override aspirations from the recognition of which there can emanate no danger to the authority or stability of the State, but which may be essential to the further progress of the governed. In the following chapters the problem of the ways and means of constitutional development in India and the outstanding questions of Indian administration form subjects of constructive criticism. They may be weighed by fair-minded critics, British and Indian, but if no better proposals can be made, it stands to reason that the future Government of India ought not to be condemned to a policy of alternate distrust and vacillation on the specious and somniferous plea that Rome was not built in a day. Rome never could have been built had not every day furthered the building of the city. Again, there are times when the political good faith of a nation may have been too long under the strain of a test; and in such circumstances policy and righteousness must both advise an attitude if not of compliance, at least of being

open to conviction, instead of one of callous indifference. Great Britain must also understand that it will be nothing less than political folly to allow discontent to accumulate in a country like India. In the absence of proper machinery for the removal of grievances, British rule itself rather than any particular administration responsible will gradually become discredited. In England, the unpopularity of the Ministry brings the Opposition into power. In India, no such result being possible in the very nature of things, the unpopularity recoils on British rule itself. To allow the accumulation of grievances or to retard the beginnings of constitutional development, in a spirit of supine satisfaction with the past achievements of British rule, or in a spirit of sleepy reliance on the all-sufficiency of British resources, or to wait for the pressure of widespread agitation, as has become the political habit in England, is to commit a blunder of no mean magnitude. The signs are clear, however, that the days of such mistakes are gone; England is now in a position to cope with the Indian problem with a more accurate grasp of facts and with the power to rate at their worth, if not entirely to eliminate, the assiduous obstruction of vested interests and the selfish hostility of an officialism which cannot forget its long schooling or willingly subdue its traditional promptings. British failure in India can only be averted if the leaders of political thought in England realise that India has long outgrown Anglo-Indian tutelage. The value of all reforms consists in the time when they become operative; if they are yielded as belated concessions when they can no longer be withheld, they begin to take effect when the prestige of the rulers has suffered

in popular estimation. But if they are conceded at the proper stage of the political development of a country, besides serving the purposes for which they are meant, they strengthen the attachment of the ruled and enhance their esteem for and confidence in the rulers. "Ask and it shall be given" is no doubt good, but "Do as you would be done by" is infinitely better. Till quite recently, however, until the dawn of the Morley era, with two exceptions alone, it was neither the one nor the other; it was a policy of "we know what to give, we know when to give, we know whether to give,"—a policy under which practically nothing that the people either desired or deserved was given. Under it grievances have accumulated beyond endurance, progressive measures have been held in abeyance, discontent has smouldered dangerously long, and the people had almost come to lose their faith in Great Britain taking the control of their destinies out of the hands of its proxies. British statesmen who were time after time confronted with the problem laid it aside with a heave, because they did not know to whom to pass on that control. Thus an era of promises was always succeeded by an era of "evasions" and "transparent subterfuges." The official announcement made by Mr. Montagu in Parliament on August 20, 1917, is valueless if it does not mean that British statesmen know now at least where to locate the power taken out of the hands of the Anglo-Indian proxies. This problem of where to locate that power is dealt with in all its phases in the following chapters; and whatever view may be taken of the proposals made therein, the Civil Service can no longer continue the ruling power of the country in the interests of the Empire and the World's peace.

CHAPTER II

THE FORECAST OF AUTONOMY

SECTION I

A Consequence of the Reform Scheme

MOST of those who have vigorously canvassed the statement as to Provincial autonomy in the third paragraph of the Despatch of the Government of India, dated August 25, 1911, now known by the historic name of the Delhi Despatch,[1] do not seem to have realised that it is, when dispassionately examined, no more than the anticipation of a policy that is bound to be the outcome of the reforms effected during Lord Morley's tenure of office as Secretary of State for India.

Leaving aside all that has followed in the wake

[1] That paragraph ran as follows: "The maintenance of British rule in India depends on the ultimate supremacy of the Governor-General in Council, and the Indian Councils Act of 1909 itself bears testimony to the impossibility of allowing matters of vital concern to be decided by a majority of non-official votes in the Imperial Legislative Council. Nevertheless it is certain that in the course of time the just demand of Indians for a larger share in the government of the country will have to be satisfied, and the question will be how this devolution of power can be conceded without impairing the supreme authority of the Governor-General in Council. The only possible solution of the difficulty would appear to be gradually to give the Provinces a larger measure of self-government, until at last India would consist of a number of administrations, autonomous in all provincial affairs, with the Government of India above them all, and possessing power to interfere in case of misgovernment, but ordinarily restricting their functions to matters of Imperial concern."

of the Durbar, it does not require much argument to arrive at the conclusion that the principle of autonomy was destined to obtain recognition sooner or later as a necessary and inevitable consequence of the Reform Scheme of 1909. For that measure, in spite of the tentative character of some of its important details, is not only progressive, but necessitates a certain amount of readjustment in the system of government. Its framers, it is true, did not advert to what was necessarily its potential aspect; but that in no way alters its innate character. Under it not only have non-official majorities been brought into existence in Provincial Councils, not only has the gulf of numerical superiority of the official over the non-official element been considerably narrowed in the Supreme Council, but provision has been made to take a vote on any question of administration, except the foreign policy of the Government. But there has been no change whatever in the position of the Supreme and Provincial Governments as regards such powers of adjustment and adaptation as may be rendered necessary by an effective utilisation on the part of the non-official element in the Councils of their new rights and opportunities. The result is that the position of a Provincial Government becomes untenable, when, though it may be disposed to agree with the non-official majority in its Council, it is precluded from giving effect to any measure owing to the different view entertained by the Secretary of State or the Government of India. The result is similar when the Government of India is in substantial agreement with the non-official vote in the Supreme Council, but feels unable to own that agreement, because of its subordination to the

Secretary of State, who may favour a different policy. Should the non-official consensus of opinion be continually ignored owing to the opposition of the Indian or Home Government there must at all times be a danger of serious dissatisfaction. But this danger is vastly aggravated when it is known or even suspected that the opinion of the Supreme or Provincial Governments in India is the same as that of the non-official section in the Supreme or Provincial Councils, but cannot be acted upon because the higher authorities stand in the way.

A position such as this has to be faced; and unless it is suggested that we should go back upon the Reform Scheme, the only manner in which it can be faced is by evolving a system of autonomy, however gradual the process of building it up may be. If such a state of affairs as this did not at the present moment exist, it might perhaps be contended that the statement in the Delhi Despatch granted an uncalled-for boon, erring on the side of generosity and incapable of being co-ordinated with the prevailing system of administration. But the present position of the Provincial and Supreme Governments being what it is in relation to the reformed and enlarged Councils, the statement in the Delhi Despatch cannot but be regarded as a sagacious forecast of a plan that is the rational and inevitable consequence of the previous history of Indian administration. That His Majesty's Ministers should have seized the magnificent opportunity furnished by the Imperial visit to India to foreshadow it, is a stroke of policy that cannot be too highly praised, and it displays a political prevision by no means common in the annals of British statesmanship in the conduct of Indian affairs.

The view I have been trying to enforce here will probably obtain readier recognition if I state the position in a slightly different form; if, for instance, the question is asked whether the problem of autonomy could have possibly come up for discussion, if the Reform Scheme had not been introduced nearly seven years ago, and acknowledged since by the Government in India and at Home as a measure that has fulfilled the expectations of its authors. Would it have been possible to think of autonomy under a system of administration which is not only not responsible to the governed, but has not even to admit responsible criticisms and suggestions, or feel called upon to answer the criticisms and in their light to consider the suggestions? Whatever powers a government may possess under such a system, and whatever may be its relations to the source from which it derives its authority, there is no question of autonomy in regard to it. It is a despotism, benevolent or otherwise, of a single official head or of an autocracy of officials, but a despotism all the same, within the scope of its powers; and no question of autonomy can arise so long as it remains untouched by any inclusion of the popular element in its constitution. There is no meaning in demanding "autonomy" for such a government. But the moment that there is cast upon it the responsibility of justifying its methods and measures in a representative or semi-representative council, the question of autonomy becomes a question of practical politics; for no government can render itself even morally responsible to criticism without being invested with freedom to adapt itself to fresh requirements; and the essence of autonomy lies in this freedom of

adaptation. So long as a subordinate government is a despotism pure and simple, its only duty is obedience to its higher authority; but the instant it ceases to be a despotism pure and simple, and has to justify its actions before the representatives of the people, its duty of obedience must be made elastic by a measure of freedom that will secure it the power to pursue a policy which it can espouse and defend as its own. It is with this measure of freedom that the question of autonomy is mainly concerned. Whenever autonomy is possible, it becomes inevitable, as the position of the governing body will hardly be supportable otherwise; and it becomes possible only when a government that has been in practice a despotism has become amenable to responsible criticism. Autonomy in India has been rendered both possible and inevitable by the Reform Scheme of 1909; and, but for that, neither the presence of His Majesty at the Delhi Durbar, nor the mere change of capital to Delhi, would have furnished the essential conditions which alone would render autonomy practicable and necessary. After all, autonomy is not so much a right in itself as a consequence of rights, and it cannot be granted as a right to a subordinate government unless popular rights have been granted previously. When once these rights have been granted and successfully exercised, autonomy cannot be long withheld.

In spite of the brilliancy of the event in connection with which it was first officially formulated, there is hardly any justification, therefore, for the view that the promise of autonomy contained in the Delhi Despatch is an abrupt departure in Indian policy, or a sudden deviation from what has preceded it, or that

it effects a change in the traditions and ideals that have distinguished and inspired British rule in every part of the Empire. On the contrary, that promise is only the declaration of a necessary development in the Government of the Indian Empire, made on the eve of an historic occasion which thereby has been rendered additionally memorable. To provide for independent and responsible criticism in the Supreme and Provincial Councils as Lord Morley did eight years ago, and yet to leave the power of readjustment the same as it was before, would have been grotesque statesmanship. The announcement in the Despatch, when considered in the clear light of the events of the past seven years, is in fact no more than the placing of the cupola on the edifice of the Reform Scheme, raised under the stress of memorable circumstances, as the authors of the Despatch were themselves ready to admit. In the planning and the execution of this most memorable of all functions in the history of ancient and imperial Delhi—signalising the triumphs of peace under Britain no less than the glories of her valour and the achievements of her diplomacy—the magnanimous solicitude of the Sovereign, the sagacity and courage of his Ministers and Viceroy, the weight of public opinion, and the common sense of the British nation have all had a share. But the combined effect of all these need not lessen our appreciation of the crucial fact that the Reform Scheme of 1909 contained the principle of autonomy as a direct consequence of its own success.

SECTION II

Autonomy and Federalism

The policy foreshadowed in the Delhi Despatch has been subjected to attack and ridicule on the ground that it is a dangerous and thoughtless attempt to introduce into the Government of the Indian Empire the principle of Federalism, which would be the beginning of the end of British responsibility in India. The critics of that policy have imagined and have also asked others to imagine, as the result of autonomy, a state of affairs in which the Supreme Government will be reduced to a condition of practical impotency, unable to cope with the semi-independent provinces which would enter upon a career of mutual aggrandisement and reduce the orderly progress of the country almost to chaos! They have solemnly warned us of Federalism and the brood of evils that follow in its train; and earnestly hoped that His Majesty's Ministers did not, in their anxiety to signalise the Durbar, intend to perpetrate an act of folly of such momentous consequence. We can at least give credit to criticism of this kind for being disinterested if we may be sure that the distinguished critics are incapable of understanding what they are saying. Since we cannot make such an assumption in their case, we can only attribute the criticism to an overpowering desire to avail themselves of anything and everything possible to discredit the action of His Majesty's Government as an unrelieved blunder from beginning to end. These critics who deplored the entire policy expounded by the Delhi announcements did not hesitate to deplore the

promise of autonomy as a hasty and incautious plunge into Federalism by those who were utterly ignorant of Indian conditions and regardless of sound political considerations. There is not, however, the slightest justification for looking upon the grant of a certain measure of autonomy to the Supreme and Provincial Governments in India as the inauguration of a federal scheme of government for the Indian Empire. Nay, there is in fact hardly any excuse for the confusion of thought that runs through this attempt to look at autonomy in the light of Federalism. It is almost inconceivable that so palpable a blunder could have been committed by men who, if they had only had the patience, if not the sense of fair play, to distinguish the one from the other, would not have fallen into a mistake which a schoolboy could hardly have committed. Nowhere in the Delhi Despatch does the word Federation or Federalism or any of its cognate forms occur, as those who were responsible for its drafting must have understood what they were about too clearly to fall into such an error. Probably they did not even imagine that "autonomy" could be so easily confounded with Federalism by their critics as to make it necessary that they should by an express disclaimer protect themselves against an attack based upon such a misapprehension. Parliamentary criticism is at times extraordinarily searching and acute, and there are evidently statesmen of experience who believe that it is better to err on the side of hypercriticism rather than fail to utilise any possible ground of attack. But it will be hardly necessary to expose at great length the absurdity of such a line of thought, because no mistake in the construction of political terms or

in the apprehension of political facts can be more transparent than this. Federalism is the outcome of the effort of a number of states with a separate political existence to evolve a supreme common control; whereas autonomy is the outcome of the efforts of a central government on behalf of the administrations subordinate to it to trust the provinces under its authority with greater powers of internal control. If this essential distinction between Federalism and autonomy be granted, it is a mystery to understand how autonomy can lead to Federalism, unless we are to be called upon to believe that a time may come when the tail will wag the dog. If, by undertaking a criticism of any policy or measure, we embark upon a sea of possibilities, then we need have no regard for actualities or for a reasoned anticipation of probable consequences; in a region of wild anticipations and gloomy forebodings autonomy may lead to Federalism, and Federalism to American Democracy. When a Supreme Government retains in its own hands whatever power it believes necessary for the due discharge of its responsibilities, and divests itself only of the rest in its own case for administrative efficiency, it cannot as a consequence of this step become a creature of the subordinate Provincial Governments, and have the boundary of its own authority determined for it by them. But if it be contended that such a possibility is not unimaginable, there are other possibilities which can with equal readiness be imagined as awaiting the Supreme Government in India, and all government must become practically moribund, if weight be attached to these grim misgivings. We may therefore dismiss these fearful prognostications with an easy conscience, and regard

autonomy as not only a necessary outcome of those measures of reform to which effect has been already given in the government of India, but as a phase of progress which has no element of disruption in it, as an organic principle. The effect of vetoing such a legitimate outcome of British rule will be to deny the Indian constitution its natural path of progress, and consign it to a quagmire of uncertainties worse than any Federalism could prove to be. The test of British statesmanship in shaping the future of the Empire lies in guiding the progress of the Indian Constitution through the initial stages of autonomy into which it has already advanced. It will be clear, however, that unless these initial stages can be definitely determined the conception of autonomy for India must remain a pious political wish, a laudable mental attitude with no prospect of materialisation.

CHAPTER III

AUTONOMY OF THE GOVERNMENT OF INDIA

SECTION I

Imperial Autonomy prior to Provincial Autonomy

A GOOD deal of what has been said hitherto in connection with Autonomy has had reference almost exclusively to provincial autonomy, and little or no attention has been bestowed by writers or politicians on that of the Government of India, without which provincial autonomy can in no large sense be real. If the Government of India lacks the essential requirements of an autonomous body in its powers and constitution, it can only delegate to the provinces considerably less than its own shadowy pretensions, and we shall to all intents and purposes continue to be where we are at present. Apart, however, from this consideration, there is the central fact that whatever rights may be granted to Provincial Governments which they may not possess at present, the Government of India will not only retain the control of provincial administrations, but will have to exercise powers in all questions that affect the well-being and progress of the Indian Empire as a whole. We have to examine more accurately the powers of the Government of India

in fulfilling its obligations to the people of the country, as a Government autonomous in itself, and as a body forced to defend its policy in open debate, although not yet responsible to a popular Legislature. It stands in need of having its own rights better defined in face of the new obligations which the reform scheme has imposed upon it as well as upon the Provincial Governments. If the Provincial Governments are to have a larger share and a freer hand in the disposal of their finances, and an ampler measure of discretion in meeting their administrative requirements in a way that will best conduce to efficiency and economy, it follows with equal cogency that the Supreme Government stands in need of similar freedom in its relations with the Secretary of State for India. Nay, provincial autonomy may be somewhat tardy in coming, as its progress will necessarily have to be in keeping with the form of government in each province and the general advancement and capacity of its people. But these conditions do not apply to the Supreme Government in India. The measure of freedom and responsibility with which the Government of India may be credited is a question from the consideration of which these qualifying conditions are largely eliminated; for, unlike the Provincial Governments, the constitutions of which vary, and therefore may call for varying degrees of autonomy, it is a single body which has a definite constitution. In the case of the Government of India, therefore, autonomy is not a matter of administrative exigency or convenience, as in the case of Provincial Governments; it is more largely a question of constitutional status, of political expediency, of a necessary demarcation of boundaries in the field of Imperial

responsibilities, and, to a limited extent, of guarantees of good government. The constitution of the Supreme Government in India has grown as all stable and progressive constitutions grow; but it has reached a stage in its growth when its individuality has to be recognised and its sphere of authority in relation to the Secretary of State for India clearly marked out. It is not suggested that there could be any radical change in the subordination of the Government of India to the Home Government. The most satisfactory system of autonomy that could be devised for the Government of India must necessarily recognise the control of the Secretary of State, who represents the paramount authority of the British Parliament. Nor is this subordination a bare theoretical admission to be controverted whenever occasion may require its recognition in the practical conduct of affairs; it is an admission in regard to which no dispute can be allowed to arise at any time, and on it alone any autonomy devised for the Government of India must be based. On no other basis could the paramountcy of British rule in India be sustained. Nor need we hold that the recognition of so fundamental a fact may derogate from the prestige of the Governor-General in Council; on the other hand, it is the hesitancy with which such a basic principle of the Indian Constitution has sometimes been grudgingly acknowledged, and the complaint that has been occasionally preferred as to the liability of the Indian Government to be superseded, that have contributed to place the Governor-General in Council in an unreal position. Only that which corresponds with actual facts can ever add to the prestige of a Government which is exposed day after day to a flood of criticism,

most of it neither misinformed nor misdirected. It is making much ado about what does not exist, more than a candid avowal of what cannot be ignored or combated, that impairs prestige. But the most unreserved admission of the fact that any Government of India has to occupy a position of constitutional subordination to the Secretary of State is in no way inconsistent with the delegation to the Government of India of powers which will confer on it greater freedom and leave it less subject to anomalies. Unless the subordination of the Government of India is to mean that India is to be *administered* from Downing Street, the Government of India should be permitted to develop into an autonomous constitution discharging its responsibilities primarily to the people governed, although liable to be superseded by the Secretary of State in matters touching the internal or external safety of the Indian Empire, or in questions that affect Imperial interests of paramount importance. Such a delegation of powers is absolutely essential, if only to save the Government of India from being subject to anomalies (as it is at present) and to enable it to justify its measures in the presence of its critics.

Before we can determine, however, the lines on which the delegation of powers may be effected, it will be conducive to a clearer comprehension of the whole question if we examine the constitutional position of the Government of India. That position is beset with anomalies because the Governor-General in Council in his own person represents three functionaries, each with conflicting purposes to serve. Hence the autonomy of the Government of India, whatever it may now be worth, is impaired beyond the extent

which his subordination to the Secretary of State necessarily involves. In the first instance, he is the personal representative of the Sovereign; in the second place, he is "the agent on the spot" of the Secretary of State; thirdly, he is a trustee administering a country that does not govern itself. His position as "the agent on the spot" derogates from his dignity as the supreme representative of the Crown in a country where the kingly office has always been an indispensable and an integral element in any stable political constitution. It is no doubt true that this aspect of the Indian Constitution has not hitherto attracted much comment; but it is equally certain that in a country like India it could not long be disregarded by any statesman gifted with the imagination necessary to comprehend what is highest and best in Indian life and culture. Again, his position as a conscientious trustee managing the affairs of an infant ward is often rendered unenviable, and at times untenable, by his having to carry out the mandates of another as a mere agent on the spot. The consequence of all this is that he is at times lowered in popular estimation as the representative of the Sovereign; he is at times superseded as trustee; he is at times attacked for being no more than an agent which he is bound to be. On occasions he may be forced to be a party to acts and transactions that may be a clear violation of his responsibilities as a trustee; on occasions his own failure and unpopularity may involve odium of the British Constitution as a whole, and of this the Crown is the most significant factor in the estimation of the Indian people; on occasions, again, he may be subjected to adverse criticism for surrendering an authority

which he does not in fact possess. It is easy to establish the subordination of the Governor-General in Council to the Secretary of State, but it is difficult to reconcile the threefold absurdity of his position as the working agent of another, as a trustee in charge of a dependency, and as the personal representative of the Sovereign for the time being. These anomalies may have escaped attention at a time when public opinion was not so well informed as it is now, when only a small proportion of the educated cared to follow the affairs of the country in a critical spirit, and when non-official members of the Supreme and Provincial Councils possessed no power of raising debates in matters pertaining to administration. Since, however, such a state of affairs no longer obtains, these anomalies cannot be suffered without serious detriment to the progressive development of the Indian Constitution, or without making the task of British rule in India one of needless and growing complications and difficulties. We shall illustrate the position of the Governor-General in Council by a reference, to go no farther back, to some of the resolutions moved at the last Calcutta session of the Supreme Legislative Council.

SECTION II

Anomalies from Absence of Imperial Autonomy illustrated

On the 23rd February 1912 the late Hon. Mr. Gokhale moved a resolution calling for papers in connection with the "Inchcape Inquiry." The public do not yet know at whose instance and with what powers Lord Inchcape was entrusted with a com-

mission to preside over a conference composed of the Chairmen of the Railway Companies and the Railway Board, which is a department of the Government of India in charge of railway matters. Although once a member of the India Council, Lord Inchcape holds no such position now, nor is he known as an expert in railway management. His interest in railway administration is that of a partner representing one of the great firms which make common cause with railway companies for the expansion of railways in India and for the growth of Indian expenditure thereon. While his views on certain aspects of railway administration may deserve consideration from the Government of India, his position cannot be that of a disinterested outsider, and in no case can he be thought of as a suitable arbitrator between the Companies and the Railway Board, or even as an ideal president of a conference between the Companies' Chairmen and the Railway Board. Notwithstanding these considerations, the Inchcape Conference was held, and it was pointed out in the course of the debate, without contradiction, that Lord Inchcape sent his report from India direct to the Secretary of State. Mr. Gokhale's motion was virtually a censure on the whole procedure, and the defence of the Government as put forward by the member in charge of Commerce and Industry is an unconscious exposition of the nature of the autonomy which the Government of India possesses at present. He said, "There were questions outstanding between the Railway Companies and the Railway Board, and the Secretary of State decided that they should be discussed at a conference under the presidency of Lord Inchcape." This explanation is an admission,

in the first place, that the powers of the Government of India are so limited that it cannot be trusted to deal with the Railway Companies whose share of outlay is only 18 millions sterling out of a total of 264 millions sterling, the balance of 246 millions being found by the credit of the Government of India. It is an admission, further, that the Secretary of State, despite the Council which exists to advise him, cannot see his way to terminate differences without calling in the aid of an outsider with commercial interests, before whom the Government of India, through the Railway Board, is asked to submit its case. All the non-official members who spoke for the resolution resented the fact that the Government of India should be thrust out of consideration in this manner. The member in charge could neither meet the reflection which this resentment conveyed, nor answer the questions that were categorically put to him in the course of the debate; as to whether it was true that the Government of India was not consulted before Lord Inchcape was appointed, and that it had no share in determining the scope of the inquiry; and whether the report of the president of the conference was sent direct to the Secretary of State; and lastly, whether, if all this was as alleged, the Governor-General in Council was content to accept such a position without a protest. The fatuity of the reply of the member in charge of Commerce and Industry was astonishing, and was felt to be almost beyond all bounds of forbearance. Mr. Gokhale's final observation in winding up the debate was in effect that if the Government of India did not know how to protect its own self-respect, there was nothing more to be said. The autonomy

of such a government is indeed so vulnerable that a handful of railway magnates (who would be nowhere but for the continual financial assistance lavished on them, not as a policy but as a creed) find it possible to interpose between themselves and the Indian Government not the Secretary of State, but a commercial magnate representing vast private interests. The explanation of the Government of India, which ignored the constitutional points involved, was simplicity itself, and was virtually no more than the statement that "as in any case Lord Inchcape was coming out to India this cold weather, he was asked to hold an inquiry"—with the Government of India as a party to it, and to submit his report over the head of that Government! One cannot comprehend what can possibly be meant by the autonomy of such a Supreme Government.

Let us turn to another resolution, also moved by the Hon. Mr. Gokhale, recommending the prohibition of the recruiting of Indian labour under a system of indenture. A full discussion of this question is not germane to our purpose here, and we shall only advert to so much of it as bears on the "autonomous" powers of the Government of India. For merely political purposes it is enough to distinguish the principle involved in these contracts of indenture from the details of the process of recruitment, the treatment of the labourers, the moral degradation, and the political complications to which they lead, and to confine ourselves to the responsibility attaching to the Government of India in this matter. These contracts of indenture whereby labour is recruited from only one part of the British Empire, India, for certain other parts, create obligations and

impose penalties upon the labourer in a manner unknown elsewhere in the civilised world at the present time. Recruiting of indentured labour is peculiar to India, and it is resorted to for the benefit of the Crown Colonies which require imported labour for their plantations. The striking part of the bargain is that the labourer during the five years' period of contract practically ceases to be free, and becomes liable during that term to penal provisions before a magistrate of the colony for any supposed infringement of regulations or breach of discipline to which the employer may take exception, *although the acts complained of may not constitute an offence under the ordinary criminal law of the colony.* It is a system whereby not only is the labourer deprived of his freedom through the enforcement of these penal provisions, but the employer obtains the right of summary arrest of the labourer. The labourer, who is compelled to reside on the plantation, is liable to arrest without warrant if he is absent without a permit, and if his absence should be that of a "deserter" in the eye of the law he is liable to imprisonment with hard labour. He is also punishable with or without imprisonment for "offences against discipline." His liability to these punishments is not in the "contract" he signs, and they are inflicted under the authority of the law of the colony to which he emigrates. However, we shall not go into the working of this system or pause to consider the allegations to which the Hon. Mr. Gokhale drew prominent attention. It is altogether needless to do so. On the very face of it, whatever may have been the case in the past, there could be no justification for the

Government of India to maintain it, in the year of grace 1915. If the Crown Colonies cannot or will not employ free labour from India, the Government of India ought not to abet them in the debasement of labour to a condition approximating slavery for the time being, or to permit its subjects to be treated no better than cattle. The Indian Penal Code has no doubt certain penal provisions governing contracts of labour; *but they are not legal provisions for the benefit of any industry employing labour*, and their operation is limited to cases where desertion will be almost criminal in its consequences; as for instance in the case of a paid attendant on an invalid terminating his services against the terms of the contract. But no one hears of a prosecution under these sections nowadays, and very few outside the legal world know even of their existence. In any case, should these provisions be taken as a justification of indentured labour, Indian opinion will unanimously vote for consigning all alike to the category of barbaric legislation. The provisions of the Penal Code were in fact introduced at a time when travelling had to be done in bullock-carts by easy stages and amidst serious risks, when medical attendants and nurses were practically unknown, and officials when ill or touring had to trust themselves to guides and servants. No one will be in the least degree the worse if these sections are abrogated immediately. When the member in charge of Commerce and Industry observed, "There are clauses in the Indian Penal Code which provide for something not unsimilar at the present moment," he might as well have gone a step further and pointed to the existence of those provisions of martial law under which punishment

is provided for desertion and breach of discipline. The Hon. Mr. Fremantle provoked from Mr. Gokhale an observation which shows the depth of Indian feeling in this matter, when he suggested that the Indian emigrants would not thank Mr. Gokhale for endeavouring to abolish indenture. Mr. Gokhale, always considerate in his remarks, retorted, "Sir, I am quite content that he (Mr. Fremantle) should earn their thanks by opposing the resolution. Be his the thanks which the champions of slavery expected to receive from those who were anxious to continue in slavery. Be mine the denunciation with which the advocates of abolition were threatened by those champions at the hands of slaves unwilling to be free." The most illuminating comment on Mr. Gokhale's motion was however that made by a Mahomedan member of the Council, the Hon. Malik Umar Hayat Khan, the Deputy Herald of the Delhi Durbar, whose shrewdness far surpasses his knowledge of English. Speaking for the resolution, he raised a roar of laughter, in which Lord Hardinge would have heartily joined had he been present, when he said in his own inimitable manner of expression, "I think cent per cent Indians are all on the side of Mr. Gokhale, and when we are cent per cent on one side, and it is our Government, our Government must be on our side because, otherwise, it will not be our Government." The Deputy Herald of the Durbar has certainly better notions of autonomy than most others suspect, and perhaps better than he himself suspects.

The whole question resolves itself into this: Is the Governor-General in Council, in going against "cent per cent" of Indian opinion, acting as a con-

scientious trustee ? If he thinks he is so acting, does he really imagine that a *single* Indian believes in his *bona fides* ? If he is acting as the agent of another, then he is subordinating the interests of his ward to the behests of his chief, and thereby forfeits the confidence of the people and undermines the reputation of his Government ; and last, though not least, if he stands by this system of indenture, in his capacity as the personal representative of the Sovereign, then he is diminishing the faith of the Indian people in the justice and equity of the Sovereign. The position is insupportable from any point of view, and if it is adhered to, it is because the autonomy of the Government of India does not permit of its being vacated.

Let us take another resolution, moved by Sir V. D. Thackersey, who, next to Mr. Gokhale, made the most solid contribution to that session's debates, the resolution recommending "that a substantial portion of the gold standard reserve be held in gold in India." This question really forms a part of the policy of holding in sterling in London all the available resources of the Government of India beyond the present Home needs, with the inevitable influence that such a policy must have not only on the money-market in India, but also on the promissory notes of the Indian Government. So long as the Government of India is called upon to adopt a policy on the one hand of lending out large cash balances in London at nominal rates of interest, and at the same time of borrowing in local or foreign markets at a higher rate, Indian financial policy will be a policy of burning the candle at both ends, without any substantial excuse whatever. If amongst other reforms this

practice should give place to a sounder arrangement, the financial credit of the Government of India would unquestionably stand higher than it does at present. If the promissory notes of the Government of India cannot as securities command readier accommodation at a much lower rate of interest than at present, it is because the cash balances of the Government of India are available to London bankers at a nominal rate of interest, while Indian financiers lacking resources have to raise the rate of interest. Consequently, as securities, the Government of India promissory notes fall in the estimation of investors; and the credit of the Indian Government is lowered to that extent. Apart from this, the Indian money-market cannot but be the worse for these investments in London, and Indian trade and commerce are, to the same degree, handicapped. Sir Vithaldas characterised this method of dealing with Indian cash balances as "craving for India's money," and showed from one of Lord Morley's speeches to what an extent this craving is being pandered to under the present arrangement. According to the noble lord, "The maturing and relending of these sums (the cash balance of £18,750,000) cause a cash business which amounts to £60,000,000 a year." But this is not all. "There are other details," said Lord Morley, "with which I will not burden you, but the India Office is responsible in the year 1910–1911 for £160,000,000." Even this is not all. The autocrat of Downing Street had yet other resources to mention, and he is reported to have said, "There are other details of further management of accumulated funds of gold standard reserve in this country which amount to upwards of £17,000,000, and of paper

currency reserve which amounts to £7,500,000." These are the operations carried on with Indian balances in London at a nominal rate of interest when Indian banks need accommodation most, while the Government of India's three per cent notes stand at 82 and 83, and the Indian bank rate of interest at not less than 9 per cent on the most approved securities at the busiest season. Nobody will deny the need to some extent for keeping sterling balances in England at nominal interest for purposes of ready utilisation; but to develop a financial policy whereby at the crucial moment of Indian financial need Indian sterling balances play an actual part in *London* financial circles, to the direct detriment of Indian economic and commercial agencies, is to cripple Indian interests with India's own resources. It is a policy of burning Indian incense at the altar of the London money-market, with London bankers officiating as high priests, for the beatification of the Secretary of State for India. He can thus contemplate with serene satisfaction the importance of India in London finance, although it means time after time the prostration of India as an immediate consequence.

The reply of the Finance member throws a flood of light on the present autonomous character of the Government of India. "He has the advantage of me," said Sir Guy Wilson, referring to Sir Vithaldas Thackersey, "in the freedom with which he can speak on subjects upon which my position and the position of the Government of India in relation to the Secretary of State for India in Council compel me to caution and even to silence. He must not therefore misjudge me if I cannot follow him over all the field which he has opened for us in the

speech to which we have just listened. It would, for example, be wholly out of place for me to discuss his views regarding the financial advisers of the Secretary of State and the influence which they exercise on the disposition of our Indian resources. The responsibility of the Secretary of State is one and indivisible, and I, at any rate, cannot discuss his policy as if it were the policy of individuals. I can only undertake to place before the Secretary of State the expert financial opinion which the honourable gentleman represents in India, and to ask that it receive due consideration along with the expert opinion which his lordship obtains in England." The question that obviously underlies this confession is: How long is the position of the Government of India, in relation to the Secretary in Council, "to compel" the Government of India "to caution and even to silence"—even in matters in which there is complete unanimity of non-official opinion in the Supreme Legislative Council and apparent agreement of official opinion? Another question that demands an answer is: How long is this incompatibility, if not actual antagonism, between the Government of India and the Secretary of State to continue? It undermines the faith of leaders of opinion in India in the political capacity of the Government of India and the disinterested honesty of purpose of the Secretary of State. The voting disclosed the fact that all the non-official members who were present voted against the paid majority of official members. It is a picture bound to make a deep impression upon those who regard the Governor-General in Council as a conscientious trustee managing the affairs of India, or as an agent who has to defend the action of a principal and not

disclaim his responsibility, or as the supreme representative of the British Crown, who has at the same moment to occupy the position of such an agent and discharge the responsibilities of such a trustee. The autonomy of such a Government cannot but appear at times in the light of the *Jo-Hukam* autonomy of the Ministers of Aurangzeb.

Again, we will take the resolution moved at a previous session of the Council recommending the removal of the countervailing excise duty on cotton goods manufactured in India, although that duty is justifiable if only on the ground of affording protection to hand-loom textiles. The course that would command the approval of the country at large would be to give preference to the products of Indian machinery against the foreign imports, retaining both classes of goods under duties for purposes of revenue and for protection to the power-looms as well as to the hand-looms in the country. But is there the ghost of a chance of the Government of India's formulating such a tariff so long as its autonomy is in the keeping of a Parliamentary official whose own freedom is in the hands of the free-traders and capitalists of Lancashire, whose votes make all the difference between the continuance and the collapse of the party in power ?

The above resolutions have come up for discussion within a very brief period, but are enough to demonstrate the utter futility of making Indians believe that the Government of India has a voice of its own in matters that vitally concern India but come into conflict with the interests of the ruling nation or the party in power. But several of these resolutions and more of the same kind, as for instance

the one urging the separation of executive from judicial functions, which was carried at the first session of the Imperial Legislative Council at Delhi by the unanimous vote of the non-official members present, are bound to be brought forward, session after session, making the question of the autonomy of the Government of India more and more insistent. No amount of provincial autonomy can render the Government of India a whit more vertebrate than it is now. The problem of autonomy in India, which is in essence the problem of the government of India in one of its most crucial aspects, cannot be solved or even taken into consideration so long as the position of Governor-General in Council is exposed to the anomalies which we have illustrated above, and which are likely to increase as time goes on, unless the position changes. These are not anomalies which detract merely from the theoretical perfection of the constitution of the Government of India ; they are anomalies which expose the Government to practical difficulties, and, if allowed to persist, will gradually weaken its hold on the most influential classes in India. Their removal involves a readjustment of the relationship of the Governor-General to the Secretary of State, to the reformed Council, and to the Sovereign of the British Empire. "The maintenance of British rule in India," ran the observation of the Government of India in the paragraph we have quoted, "depends on the ultimate supremacy of the Governor-General-in-Council, and the India Council Act of 1909 itself bears testimony to the impossibility of allowing matters of vital concern to be decided by a majority of non-official votes in the Imperial Legislative Council." The instances which we have given and

which can be augmented will show, however, that the ultimate supremacy of the Governor-General in Council, as well as a majority of non-official votes in the Imperial Legislative Council, may jointly and severally be so slighted in matters of vital concern as to reduce the authority of the Government of India to a vanishing point. The interposition of a constitutional factor between the supremacy of the Governor-General in Council and the absolutism of the Secretary of State has become essential, so that the former may not be merged in the latter to the detriment of its individuality and of the interest of the governed. Such an interposition does not, however, mean the creation of a new constitutional element but the utilisation of the existing factors so as to effect a readjustment in their mutual relationship and render the autonomy of the Government of India more in accord with the well-being and advancement of the country.

CHAPTER IV

THE PROBLEM OF READJUSTMENT

SECTION I

Non-Official Unanimity as a Constitutional Factor

IT is not proposed that this readjustment should assume the form of a draft constitution on paper without any reference to previous developments in the administration of the country. We cannot begin with a clean slate in dealing with such a complex problem. That process must be a natural development of the present conditions, and neither an abrupt departure from nor a total alteration in the value of the factors which constitute the Government of India. We must determine the lines on which the Government of India may be developed as an autonomous constitution in accordance with present conditions, and not as though we were framing a constitution for the first time. The immediate object we have in view must be to secure for the Government of India greater freedom of adaptation, making it at the same time definitely responsible to some extent to the accredited representatives of public opinion. Greater freedom of adaptation means the curtailment of the powers of interference of the Secretary of State, and greater

responsibility to accredited representatives means the recognition of non-official opinion in the Imperial Legislative Council as a factor of definite consequence in the administration of the country. No measure which ignores these two conditions can have any pretension to being a measure of autonomy. It is not the object of any of those who have referred to autonomy in India to constitute the Government of India a complete despotism free from the trammels of subjection to the Secretary of State or from the control of Parliament; nor could it be their object to make autonomy in India mean the establishment of a complete system of Parliamentary Government for India. The control of the Secretary of State and of Parliament must continue so long as India remains a British dependency, and immense strides have to be made before a system of Parliamentary Government can come into existence in India. Nevertheless it is necessary that the control of the Secretary of State should be better regulated and that the opinion of the non-official members of the Governor-General's Council should be of some definite consequence in the administration of the country. In the accomplishment of this double task is involved to a large extent the solution of the problem of autonomy in India. At present the official members are in a standing majority, the non-official members in a standing minority, and there is no obligation on the part of the Government to recognise the practical unanimity of non-official opinion in the Council. A measure may be rejected by a large section of the non-official members themselves, or a resolution may be approved by an equally large section of them, but with a like result in both cases if the Government is

against the non-official opinion. Again, the rejection or approval of a resolution by a majority of the non-official section is of no significance, so long as the Government chooses to maintain an attitude of its own. A non-official minority and a non-official majority are of the same consequence, if it is not the concern of the Government to move in a matter. A resolution for raising the taxable limit of incomes and another for discontinuing the system of indenturing labour are equally negatived by the Government, although the former is rejected and the latter is carried by a non-official majority. There is in such an arrangement no sense of reality in the conclusion arrived at by the non-official section; because no constitutional value is attached to it, and no consequences follow from it. When a non-official member presses his resolution to a division, he does it conscious of the quaint humour of the entire procedure, since the fate of the resolution is a foregone conclusion; often he withdraws it, satisfied that he has raised a debate on the question. In a few cases a member calls for a division, just to show how many non-official members are of the same opinion as he is. In any case, the outstanding feature of the present arrangement is that the Government is not in the least compelled to give effect to the non-official consensus of opinion, however faithfully it may reflect the opinion of the country as a whole, however reasonable the position may be in the views of those whose judgment it is not wise to ignore. We admit that the Government may profit by the debates raised in the Council, but that is, after all, a very poor consolation, without which no skeleton of a political assembly could be constituted. As it is, the

ascertained opinion of non-official members who are returned to the Council as a result of considerable canvassing and competition, and under an uncommonly stringent system of franchise, imposes no obligation on the Government. Some trivial suggestions in the form of resolutions may be accepted by the member in charge, but when questions of considerable general importance affecting the country as a whole come up and are opposed by the Government, there are no means by which non-official opinion can expect to prevail. Even technically the resolutions are negatived. This process of negativing non-official motions with the help of a paid majority provokes ridicule and is not without serious drawbacks. The Hon. Mr. Gokhale, after an elaborate examination of the whole question, moves that the system of indentured labour shall be discontinued; and the motion is carried by an almost unanimous vote of the non-official members present. It is actually negatived by the preponderance of the official members. Mr. Gokhale's facts and figures, the arguments of other non-official members, the ineffectual part played by the official apologists, the rejection by an official majority, all go to convince the public that essentially the whole process is a mere permission for us to knock our heads not against a wall, but against a door. Once upon a time we were not allowed even to approach the sandal-wood gates, but now we can go up to the door of Somnath; if it remains closed, we are expected to knock our heads against it and return; there is no provision by which the door can be flung open — unless those within choose to unbar. This state of affairs cannot, and in the interests of unity and progress should not, endure

very much longer. Non-official opinion must be separately ascertained as a factor in itself, and must entail definite obligations on the Government. To effect the first of these objects the voting in the Council should be confined to the non-official section of the Council, although official members may participate in the debate as at present. Be it a legislative measure introduced by Government or a mere resolution moved by a non-official member, and whether the Government opposes or supports the latter, it is unnecessary that the Government should vote. The object of voting must be to find out definitely the opinion of the non-official section of the Council and not to bring out time after time the brigade of official voters and therewith to pass or defeat a measure. This procedure serves no purpose except to emphasise the unreality of the proceedings. Were the non-official members alone permitted to vote, the very act would convey to them a greater sense of responsibility than it does now. At present it is open to a member to argue that, as a measure is to be rejected by the Government in any case, he may be on the popular side and vote for it without any consequences to himself accruing therefrom; or he may argue that, as in any case the Government is to reject it, he may continue to remain in the good graces of the Government and vote against it. We do not deny that under any scheme men may be swayed by unfair and improper considerations; *but a scheme in which a vote involves no consequence and carries no responsibility is a demoralising scheme in any political constitution,* and cannot be a factor of constructive value. When we couple with this fact the disrepute that always overtakes an official and paid

majority, the case against such a system is complete and incontrovertible. It is therefore highly necessary to free the Government from the stigma of having a number of retainers in order to ensure a majority, and the official members themselves from that of voting only according to their official conscience. Again, it is well known that many of the official members have to leave their work, however urgent and important, and sit day after day in the Council Chamber merely for the purpose of recording their votes, although they do not, and most of them at times cannot, take part in the debate. Officials who do not know the A.B.C. of the subject have to sit the livelong day, yawning and sleepy, simply to vote on a motion relating to railway freight. From every point of view, therefore, the voting may be confined to the non-official members alone, the official members only participating in the debates. But non-official opinion must not only be ascertained, but when ascertained must entail certain definite consequences, under definite conditions, as otherwise the vote will be valueless. It must be provided by the regulation governing the proceedings of the Council that, if a certain percentage of the non-official members should vote in favour of a resolution, the Government of India must either give effect to it, or failing to do so, must place the matter before the Secretary of State for his final decision. If he agrees with the Government of India, he must make known his reasons through an open despatch on the subject. If a measure proposed by the Government be not opposed by a special majority of the total number of non-official members, it shall be declared to have been passed; but if so opposed

and rejected, it shall be necessary for the Government of India to obtain the sanction of the Secretary of State, who, if he concurs with the Government of India, shall give his reasons in a public document. It may be asked how a law introduced by the Government of India, rejected by the non-official members, but approved by the Secretary of State, can be designated a law passed by the Governor-General in Council. If the importance of the proposal be conceded, the objection can be easily surmounted if we are not anxious to retain particular nomenclature. When a measure rejected by a special majority of non-official members must nevertheless, in the opinion of the Government of India and the Secretary of State, be promulgated, it may be given the effect of law under the name of ordinances of the Secretary of State. They will differ from the ordinances of the Governor-General in Council in that they will be permanent as laws until repealed by the joint action of the Indian Government and the Secretary of State. Under this system there will be, firstly, the laws passed by the Imperial Legislative Council and assented to by the Governor-General in Council; secondly, the ordinances of the Governor-General in Council promulgated by him in his executive capacity, and of temporary duration under the existing provisions; and thirdly, the ordinances of the Secretary of State, having the force of law in every respect. No ordinance of the Secretary of State shall be promulgated at the initiative of the Secretary of State, or by the Government of India with the consent of the Secretary of State, without having been first introduced in the Imperial Legislative Council and voted upon by that assembly. The

reason for such a requirement is that an ordinance of the Secretary of State will be a permanent measure, and therefore the fullest opportunities of discussion should be given prior to its promulgation. In brief, recourse should be had to it only when the Government of India, after placing a measure before the Imperial Legislative Council, fails to obtain the necessary amount of support in the Council, and feels convinced of the necessity of enacting it with the approval of the Secretary of State duly obtained. If, on the other hand, the Government of India and a prescribed majority of the non-official members should agree in regard to any matter, the Secretary of State should not be competent to veto the proposal, except by obtaining a special vote of both Houses of Parliament.

In all these cases it will be seen that the supremacy of Parliament is retained, and that the Secretary of State is recognised as the ultimate referee between the Government of India and the non-official representatives in the Council. It may probably be urged that even in regard to self-governing colonies the veto of His Majesty's Government is enough, and a resolution of both Houses is not called for. But it should be remembered that, in the case of a self-governing colony, the Government and the people are one, and that the Executive are wholly responsible to the Legislature, whereas the case is totally different in India. The Government and the people here are two distinct and independent entities; the representatives of the people can never become the Government of the day, and the Executive do not derive their authority from the people, are not responsible to the Legislature, and cannot be ousted

from office by a vote of want of confidence. When two such distinct factors are united in their view, the authority of the Secretary of State alone ought not to override their unanimity. We have therefore the first essential principle of autonomy in the recognition of the fact that when the Government and the non-official representatives are agreed, an express resolution of both Houses of Parliament alone can overrule them. It may again be contended that even a resolution of Parliament does not impose any obligation on the Government in England, and that the proposals herein made will be giving the resolutions of the Supreme Legislative Council a value which Parliamentary resolutions do not possess. In the constitution of the House of Commons or even of the House of Lords there is not an official and paid majority appointed by the Government of the day; there the Government is absolutely subordinate to the Legislature, and a party has only to come into office to give effect to its programme. All of these features are absent in India, where, since the Government and the Opposition cannot exchange places but have to remain constant fixtures, there is no other way by which the attitude of the Opposition can be rendered of consequence in the administration of the country. Since the non-official members cannot take the place of the Government, their resolutions under certain conditions must be allowed to impose some obligation on the Government, such as, at least, the minimum obligation of making a reference to the Secretary of State whenever the Government cannot give effect to a resolution carried by a special majority.

To sum up: with regard to resolutions moved by

non-official members, if the Government of India and a special majority of non-official members differ, there must be a reference to the Secretary of State, and his decision shall be final; on the other hand, if a majority of non-official members and the Government of India agree, the result of their agreement can be set aside or modified only when the two Houses of Parliament concur in doing so; but if either of them share the view of the Government of India and the non-official representatives, this view stands. With regard to measures proposed by the Government, they will be considered to have been passed unless rejected by a special majority of non-official members, and if so rejected, a reference to the Secretary of State is necessary, whose decision is again final. If it is necessary to distinguish by name the laws promulgated by a concurrence of the Government of India and the Secretary of State, from the enactments of the Imperial Legislative Council, they may be called the ordinances of the Secretary of State.

In most instances the Secretary of State will see the wisdom of agreeing with the Government of India when that body agrees with a majority of the non-official members, and there will be rarely any occasion for him to appeal to Parliament. When the Government of India and a special majority of the non-official members differ, the Secretary of State is not likely to differ from the Government of India except for weighty reasons; and it will redound to the credit of British rule and emphasise the identity between India and England if, whenever necessary, the Secretary of State recognises the non-official point of view and gives effect to it. The prestige of the Government will in no way suffer by any of these reforms, although

the powers of the Government of India and of the Secretary of State will undergo some modification.

SECTION II

Plausible Objections

It may possibly be urged against this scheme that it will lessen the contact that exists at present between official and non-official members, since they are now but one body debating and voting on all questions. Even under the proposed arrangements they will be one body for all purposes of debate. The contact engendered by voting is quite imaginary, since voting only serves to emphasise the divergence between the two sections. On the other hand, there will be greater reciprocity between them when non-official members count for something in the estimation of the Government. There will also be a genuine desire on the part of the non-officials to obtain the concurrence of the Government, since then, to all intents and purposes, their combined attitude will be final. In fact, each will mean something to the other, whereas now the non-official section means nothing at all to the official section, and the latter is in the estimation of the former the personification of a settled and unchangeable policy. When the non-official members cease to be looked upon as non-entities by the Government, and the latter ceases to be regarded as an obstacle that bars the way of the party of progress, the two will come to recognise that they are of value to each other, and this change of attitude will conduce to mutual confidence and esteem.

One great need at present is that the officials

should not only concede the right of non-officials to entertain opinions opposed to their own, but also admit the fairness and equity of the demand for an acknowledged authority to adjudicate upon their differences. The impersonal attitude is much wanting at present, and both the Government and the non-officials are prone to regard public questions as personal affairs. In fact, this has gone so far that in non-official opinion the Government seems to say, "We have said what we have said, and there is an end to all things when we have said what we have said." The non-official rejoinder seems to be, "We shall continue to say what we have been saying and shall fill the air with what we have been saying." There cannot be a friendly relationship between two such elements; the one depends upon authority, the other upon its freedom of expression; the result is the perpetuation, if not of a silent antagonism, at least of a state of incompatibility of which both seem to be aware, as an inevitable condition of the co-existence of an official and non-official element in the Council. Since there is no provision by which these differences can be even temporarily settled, the whole arrangement appears to be designed to avoid any possibility of harmony. On the other hand, if a method should be established by which differences can be resolved, the responsibility of final decision must lie with a third party, and each disputant will gradually come to regard the other as a factor that may ultimately be upheld. The discussion of public affairs will assume under such a system more and more of an impersonal aspect, and there will be much less reason for the feeling that the Government is stubbornly autocratic or that the non-official

section is wantonly obstructive or unreasonably insistent. The relations between the official and non-official elements will become more cordial, and both will gradually grow accustomed to a policy of give and take—in which both will find the strength of the Government in India as an *Autonomous Constitution.*

Another objection that may be raised is that the scheme may give rise to cliques and cabals in the non-official section of the Council. We admit that there will be, broadly speaking, one section trying to force the pace of the Government or trying to obtain a fulfilment of long-neglected undertakings, and another more cautious as regards the former and somewhat less zealous for the latter. The constitution of these sections will be largely a question of temperament. Even now this is the case, and it is a feature that cannot be avoided in any political assembly. There may be some Mahomedan members exclusively guided by a consideration of what in their opinion will be beneficial to them as a community. Beyond this there is no reason to fear that there will be unwholesome and perverse combinations. Nor can it be alleged that the Government will choose to go out of its way to propitiate any non-official group—any more than it does now. The moderating influence of any member may be thought worthy of appreciation by the bestowal of honours; and ability combined with moderation in politics may be a passport to offices for which a member may be in every way competent; and no one can deny that this is so at present. But that the Government of India can ever take to distribution of offices and titles as a means of obtaining support is a suggestion altogether unworthy of being entertained for a moment. In reply to the

possible contention that the scheme labours under the disadvantage of having no parallel, it may be urged that if want of precedent be considered a grave objection, then the same applies to almost the entire system of Indian administration. So far as we can judge, there is no reasonable ground on which the scheme could be condemned, and as for the vague nervousness which keeps people from moving in such matters, it is a mental condition which has never accomplished anything truly great, but has been ultimately the parent of serious troubles.

Lord Morley's reforms have introduced the non-official element into the Imperial Council as a political factor, but it has to be distinguished from the official element in which it is now inseparably merged and by which it is often submerged. It ought to be not only distinguished but given a definite value as a factor of consequence in the deliberations of the Government. Is there any other way by which this can be accomplished ? Can British statesmen expect that the present system by which the non-officials are voted down time after time by the officials, while the non-official unanimity imposes no obligation on the Government, can go on for any length of time without producing a feeling that the proceedings are an empty show unworthy of the time and trouble entailed ? On the other hand, to give distinction and value to the non-official section in the Imperial Council will be to open an era of real autonomy in the Government of India.

The theory that makes the Government of India a mere agency of a Parliamentary official will not hold sway to such an extent as it does now, should the position of the Government of India, whenever

it agrees with non-official opinion, be strengthened as it will be by this proposal. So long as India is a dependency, whatever autonomy we may possess must be subject to the control of the ruling country. The only question is: By whom and under what conditions should this control be exercised? Should it be granted to a single member of the Cabinet without any reservation or constitutional check? Indeed, should the Government of India continue a *mere agency* of HIS, notwithstanding the fact that it has to hold itself answerable to the criticism of the non-official element in the Council? What is proposed herein is that the non-official vote in the Imperial Council should be a constitutional check on the revisory powers of the Secretary of State over the Government of India to the extent that when the Government of India agrees with that vote, the Secretary of State shall not *of his own discretion* be able to override it. To this extent also the Government of India is enabled to adapt itself to the attitude of the non-official element without being liable to be overruled by the Secretary of State; and to the same extent its freedom of adaptation to new requirements is assured. The result is that the autonomy of the Government of India is a reality, subject of course to the supreme voice of the British Houses of Parliament. Again, in those matters on which the non-official element and the Government may differ, it will be a serious defect not to recognise the need for a method of settlement. As it is, the non-official element may be ignored repeatedly, without there being any provision that its united opinion shall necessarily receive consideration from a higher authority. The compulsory reference of such

matters to the Secretary of State will show that the non-official element is a factor of consequence even when it differs from the Government of India, and that its views receive serious consideration from the Government in England. Of course it means that, if the Secretary of State and the Government of India are of one opinion, the non-official element can not prevail; but what is of greater importance to us is that the non-official element will prevail, if either of them should be converted to its view, *and that in no case can it be set aside without the combined consent of the Indian Government and the Indian Secretary of State.* Such agreement may be usual, but will not be invariable; and, as time goes on, the traditional concurrence of the Secretary of State with the Government of India may give place to an independent and impartial consideration of the opinions of the non-official section; at any rate it will become incumbent upon him to consider them in this spirit, whether in the result he concurs in them or not. If such a change may seem to affect the prestige of the Government of India at the commencement, it will be a guarantee of good government, and will enormously strengthen the hold of British sovereignty.

The question may be asked: Where will this beginning lead to, and what will be its result? It may safely be answered that it will not lead to any revolution in the system of government; it will only give greater and much-needed scope for the consideration of Indian questions from the non-official point of view. It does not shift the centre of authority from "Government" to "people"; before the latter can prevail they must have the support either of

the Indian Government or of the Indian Secretary of State, and such concurrence is a guarantee that nothing revolutionary will happen. If, then, the question be asked, how such a change is of value, the answer is that whenever the popular view is rejected by the Government of India, it is incumbent on the Secretary of State as the final authority to review that decision; and when on the contrary that view has the support of the Government of India the proposed change would place a constitutional check on his powers of interference. It is not necessary for us to foresee what the next progressive step will be. It may be along the lines of dispensing with the necessity of a special majority as required herein, and postulating an ordinary majority only; it may be for making the franchise more representative of general public opinion; it may be that after considerable advancement has been made under suitable conditions, the Executive Government in India will become wholly responsible to the non-official element without any reference to the Secretary of State, *in regard to certain definite departments of administration,* as for instance Education, Sanitation, Municipal and Local Boards, Excise, Land Revenue, or Forests. In fact there are ever so many lines of development before one can reach the goal of Parliamentary Government under the paramountcy of Great Britain. As practical politicians, we have to confine ourselves to the needs of the present hour, and these needs have been set forth; as for what may become necessary hereafter, future generations will have the wisdom to avail themselves of their opportunities.

CHAPTER V

THE QUESTION OF FRANCHISE

SECTION I

Ignored Interests

IF the non-official element in the Council is credited with greater importance in accordance with the foregoing scheme, it will be necessary to consider whether the present system of election to the Imperial Council is quite satisfactory. It should be remembered that the number of non-official members was fixed mainly with a view to securing a majority of official members, and consequently the system of franchise had to be subservient to this main consideration. As, however, under the proposed alteration, the officials would not be called upon to vote, there would be no question of an official majority or minority. The officials may be appointed according to the needs of the Government, and the non-officials according to the needs of efficient representation for the time being. At present the Government may feel debarred from appointing more officials although more may be necessary, since to do so will be to give too great a preponderance to the official majority. Again, the Government may feel equally debarred from giving the country sufficient representation,

because that would necessitate an undesirably large number of officials merely for the purpose of keeping up an official majority. If, however, the voting be confined to non-official members, we are at liberty to consider the question of franchise on its own merits. At the same time it should be realised that to recognise the non-official element as a live factor in the Constitution is one thing and to recast the system of franchise on radically different lines is another thing altogether. The latter does not become necessary on account of the former. All extensions of franchise must be gradually and cautiously undertaken, since the centre of political influence is shifted thereby. We do not mean to assert that a system that may satisfy the present generation will satisfy the next; but while each generation will try to obtain what it may deserve, it will be better for us to be guided strictly by the necessities of our own position. The question of Supreme and Provincial Houses of Representatives elected by a system of direct election, in addition to, or in the place of, the present Supreme and Provincial Legislative Councils, may be left for the future. To obtain a thoroughly satisfactory system of representation there should be two Houses of Representatives in all provinces and for the whole country, the members of one House returned under a system of direct representation, and of the other under a system of institutional representation. Local and Municipal Boards, Chambers of Commerce, Universities, Teachers' Guilds, Trades Associations, Mill and Factory Syndicates, Zemindari and Ryotwari Associations, will be the electorates for institutional representation. Payment of a certain minimum tax, in the shape of land revenue, income

or professional tax, and educational attainments, will be the main qualification under a system of direct representation. It is not, however, necessary for us to formulate the details of such a constitution, since it is a matter for the future, and since it is safer to try the extension of political power under a system of limited franchise. At the same time it cannot be maintained that the existing plan is suitable for our present needs without important additions and alterations. I do not advocate direct representation at present; but the system of institutional representation should be more satisfactory than it is now. The non-official members of Provincial Legislative Councils form under existing arrangements a kind of omnibus constituency, and are supposed to secure the representation of those interests which are practically ignored under this system. On the other hand *it is highly necessary that the representation of institutions and of interests should be direct, without any process of filtration.* We are not particular whether or not the non-official members of Provincial Councils have the right of electing one or two members, but it is indispensable in the interests of better and more efficient representation that this right should not be looked upon as a substitute for what we lack at present.

In the first place, the municipalities in every province should be given the right of sending at least two representatives, and about a hundred municipalities, roughly speaking, must be assigned one representative. The District Boards must be assigned two representatives; then urban and rural interests may be represented in a more satisfactory manner. In those areas where the Ryotwari or temporarily

settled estate system to a large extent prevails, the ryotwari landholders must be given the right exclusively and separately to return at least two representatives. Holders of temporarily settled estates have been contributing an ever-increasing share of land revenue, unlike the Zemindars, who have had the immense benefit of a contract of permanent settlement with the Government. We do not grudge the importance assigned to Zemindars, but there is no reason whatever why the temporarily settled estate-holders should fare worse at the hands of the Government. Their interests are as great as those of the Zemindars, and their grievances are more numerous. They are of the middle class, more intelligent and painstaking, in more intimate contact with the labouring classes, and they form a considerable section of the educated classes of the country. They can bring to the deliberations of the Council a close knowledge of affairs, an accurate grasp of the economic condition of the country, a shrewdness of observation and independence of criticism, to a much greater extent and to far better purpose than the Zemindars as a class can do. As regards fidelity to the Government, there is no class which, amidst the worries of frequent increases of taxation and harassing demands of all kinds, and under a perpetual call to meet obligations to the district officials, has maintained a better temper or shown a readier inclination to respect authority, and to preserve unsullied its reputation for loyalty to the British Raj, than this class of British subjects. To treat them as if they were of no consequence in the counsels of the supreme legislature of the country is not only to be unjust, but to be unwise, is in fact to

estrange one of the most deserving and influential sections of the population. They are in some provinces a separate constituency for returning a representative to the Provincial Councils, and all that we urge is that this right should be recognised in the case of elections to the Imperial Legislative Council also. Probably this would have been done already but for the fact that the number of non-official members in the Imperial Council had to be fixed so as to secure an official majority.

Next to them the Indian mill and factory owners deserve to be represented in the Supreme Council by a system of election and in a methodical way. For this purpose Bengal, Behar and Orissa, the United Provinces, and the Punjab may form one group, and Madras, Bombay, and the Central Provinces another, Burma being joined with either as actual figures may indicate. Mills and factories in which not less than 60 per cent of the capital is contributed by Indians may be declared eligible to vote. The Indian mills and factories are of sufficient importance and are a growing power in the country. The beginnings of industrial legislation have already been made, and greater attention from the Legislature will become necessary. At the same time these men can bring to bear in regard to the fiscal policy of the Government of India a practical scrutiny which most other representatives would find it difficult to apply. Two representatives of the class for the whole country are certainly not too many. The European mills and factories and commercial interests are represented by the Chambers of Commerce and Trades Association.

In view of the increasing importance given to

education by the Government of India, it is an anomaly that there should be no provision to represent the interests of Education in the Council. There is an educational member of the Executive Council of the Governor-General, but there is not a single non-official member returned to the Council by a constituency of educationists! The Universities send a representative to the Provincial Legislatures, but none to the Imperial Legislature. The vast body of teachers to whom secondary and high school education is entrusted, who know as nobody else knows the defects and shortcomings under which they have to labour, and to which the system of school education is exposed in every province, are not allowed to elect a representative to the Provincial or the Imperial Council. The needs of school education and the legitimate grievances of those engaged in imparting it certainly deserve representation and cannot be disregarded on any reasonable pretext. The needs of University education also demand representation in the Imperial Council. One representative of school education and another of collegiate education from each of the provinces will be the minimum representation to satisfy the requirements of Indian education in the Imperial Council. The candidates for these constituencies must be non-officials, although the teachers and professors voting must necessarily include both the Government servants and those who are not in the service of the Government. A teachers' guild may be established in each district of a province, and a duly elected committee of the guild in each district may be a unit for purposes of election. For University education a constituency may be formed of

Fellows of the University who are also educationists, professors of colleges, and all Masters of Arts and Honourmen who are assistants in colleges. With these additions the present system of franchise seems to us worthy of retention until the arrival of the time when a complete machinery of representative government is set up as a consequence mainly of the institution of District Assemblies, as outlined in a subsequent chapter.

SECTION II

Morley's Mistake

The far-reaching nature of Lord Morley's blunder in giving additional representation to Mahomedans as a separate community is now becoming bitterly clear in the *impasse* to which it threatens to bring any sound and progressive scheme of government. It will be outside our scope to go into the relative importance of the Hindu and Mahomedan communities and potentates during the period the paramountcy of India passed into British hands. It will be equally foreign to our purpose to institute a comparison between the contributions which the establishment of that paramountcy received from each of these two sources. Leaving all such issues aside, the statement cannot be challenged that so long as the responsibility of Indian government rested on Anglo-Indian rulers as an undivided responsibility, the authorities scarcely seemed to realise that the Mahomedan community called for special recognition as a minority or as a community with special political claims. From the capture of Seringapatam in 1799 to the passing of Lord Cross's Act in 1892, for a period of ninety-three

years, there was put forward in no connection of any significance such a plea. During this long interval territorial grants and annexations took place, treaties and demarcations of boundaries were made, armies were raised and disbanded, vast administrative changes were introduced, far-reaching educational policies were initiated, Municipal and District Boards with elected representatives on them, with power to raise and administer revenues, were constituted, and finally Supreme and Provincial Legislative Councils were enlarged by the addition of elected representatives. In all these there was no attempt to regulate the political importance of any community by a political thermometer. This record of unbroken sanity was departed from for the first time in British policy by Lord Curzon, to whom India owes many of its ailments, barring famines and epidemics. He was the first man to think of utilising the past supremacy of Mahomedans as a factor in present-day politics. When the country was for exorcising the prestige of existing autocracies, he had the political discretion to conjure with the beat of the kettle-drum of his eloquence the departed ghosts of past political prestige in order that the politically dormant section of the Mahomedan community might be utilised as a drag on the progressive forces of the day. He did it at a time when, after the defeat of Russia by Japan, pan-Islamism was in its prime, to strengthen Anglo-Islamic bonds by rhetorical flourishes, Persian Gulf Durbars, and spitefully conceived provincial partitions. During the agitation that followed the unnatural partition of Bengal, the bureaucracy drawing its inspiration from him defended it as a measure of Anglo-Indian devotion to the Mahomedan community.

It was no wonder that at such a time, when communal representation had been specifically included in the scheme prepared by the Government in India, the Mahomedans claimed special additional representation partly on account of their past importance and partly as a minority. Lord Morley, pressed by an aggressive Moslem influence fed on such sentiments and pan-Islamic bias, and counselled by a representative of the Indian progressive party too eager to accomplish something even by a surrender of inviolable principles, fell a victim to an evil conjunction too insidious even for his clear intellect and immaculate radicalism.

Such is the genesis of this mistake which, if not rectified now, will lead up to claims to the establishment of a kind of Islamic dominion in India, followed by a strife for communal autonomy, for caste guilds and theocracies, to continue the work of *Pax Britannica*, converting India into a congeries of communal democracies. It will, in fact, be bartering our brains for irretrievable confusion to begin giving special representation to communities. For the Hindus are cut up into innumerable minorities, while the Mahomedans who have no caste are in a majority. The clear fact is, no community can be a minority or majority for political representation. Not communities, but interests and citizenship exist for political representation. A " community " exists for religious, social, and marital purposes. To ignore this fundamental distinction and try to make communal distinctions subserve political purposes is to try to see with the ear, and smell with the tongue. Already, the recognition of religious distinction in matters of representation has led to the obnoxious practice of

finding for high offices candidates of a particular religious persuasion, of alternating for particular places men of different creeds and castes by turns. All these are a clear violation of the solemn pledge of religious neutrality which is the bed-rock of British rule in India. That pledge does not simply mean that the Government will not compel a person to abandon his religion or adopt another; but it means in addition that there shall be no preference or exclusion on the score of religion, that religious considerations shall not prevail as a passport to office, as a test of political privilege, or confer special political rights. It may not be Lord Morley's motive, in creating a Mahomedan constituency, to show preference to those tenets, beliefs, and practices which go under the name of Mahomedanism. But in politics as in law, motive, if material at all, is less material than the result. And the result in Lord Morley's scheme is that a title conferred by Government, a degree conferred by a University, a tax paid to Government have the virtue of securing the right to vote for a candidate to Legislative election, and the right to be returned to a Legislative Board, if the person concerned happens to be a Mahomedan. And who is a Mahomedan? Any one may become, and millions of Hindus have become Mahomedans by choice, or moral persuasion, or compulsion at the point of the bayonet. Now, non-Brahmin Hindus in one Province being in some respects a "backward community," are demanding that they should be similarly treated not because of their political importance but because of their backwardness. The evil has burrowed so far deep that there is an insidious attempt to demand, in the case of some communities, an exemption from the passing of

special tests as a necessary qualification for Government appointments.

It has been urged that if special electorates are to be recognised the right to stand for general electorates should not be conceded. We fail to see the justice or expediency of such a contention, although one may be able to understand its retaliatory character. If the grotesque mistake has been committed of granting special representation to a section of the population as a minority or on the score of religion, it will be more grotesque to deny them the right of citizenship. Above all, it will be a serious interference with the right of the general electorates to return the most competent man they may prefer to return.

So long as one mistake cannot be unmade by another mistake or a succession of mistakes, there is but one remedy, *i.e.* to confess the mistake and wipe it off. Any agitation counselled by short-sightedness, soured temper, or by a reckless and wanton misunderstanding of political issues, must be resolutely faced. Once this determination becomes clear, there will be less trouble to be faced than may be imagined at the outset.

CHAPTER VI

THE VICEROYALTY

SECTION I

The Viceroy—a Unified Trinity

WE have shown how the position of the Governor-General is at present rendered anomalous by his having at one and the same time to fill three different capacities; firstly, that of the personal representative of the Sovereign; secondly, that of an agent of the Secretary of State; and thirdly, that of a trustee administering a country which does not govern itself. With the gradual development of the non-official section of the Imperial Legislature as a constitutional factor, his position as the agent of the Secretary of State will appreciably give place to his position as the head of a Government, the Supreme Legislature of which has in some degree at least an autonomous status of its own. His responsibility as a trustee will also be diminished by the extent to which his trusteeship is shared by the accredited representatives of the people. Still, he will not completely cease to be the one or the other, although in both positions his official character will undergo sensible modification. It is necessary, therefore, to examine whether with advantage he cannot be constituted the head of the

Administration in India without being the personal representative of the Sovereign as well. Hitherto, from the time of the transfer of the country to the Crown, that personal representative, unrecognised by law, unnamed in the document of appointment, has been by custom the Governor-General. Before 1858 we had no Viceroy even by courtesy; and prior to Lord Canning we had only a Governor-General pure and simple. Since then every Governor-General has been known as Governor-General and Viceroy, more usually as Viceroy. The question is, whether such a perfunctory arrangement as a combination of two offices of vital constitutional importance should persist to the simultaneous detriment of the Viceroyalty and the Governor-Generalship of India. Profound reasons of policy forbid our doing away with the Viceroyalty of India, but combining it with the office of Governor-General is a poor makeshift of a solution, open to serious drawbacks. In the first place, it shows that the great benefits to be derived from a genuine Viceroyalty of India have not commended themselves to the stay-at-home English politicians and the self-sufficient Anglo-Indian administrators, for reasons that easily appeal to each of these classes which control India. The Englishman is too much accustomed to leave things to those who have been "carrying on," and the Anglo-Indian believes too implicitly in the efficacy of "system" without reference to sentiment. Between the democracy of the former and the bureaucracy of the latter, between the indifference of the one and the self-sufficiency of the other, the forces that will best consolidate the interests of Great Britain in India and those of India in the Empire are left without a

thought, and only in times of stress and storm do democrat and bureaucrat both realise the danger of a ship which has no anchor. Both of them commit the stupendous mistake of expecting "loyalty" to a *system*, a system neither devised nor controlled by the people themselves; devotion to a machine, neither designed nor worked by those whom it concerns. We do not ignore the profound appreciation which British rule in India has evoked amongst all classes of the population. But loyalty is not mere appreciation, *it is a process of political assimilation*. This political assimilation of India to England can be effected by only one agency common to all parts of the Empire, and that is the personality of the King-Emperor. British sovereigns, until quite recently, have been political abstractions in India, while Viceroys have been too intimately associated with the Administration to exercise the influence which should be exerted by the personal representatives of a Sovereign standing aside from its dust and heat. The system of making the Governor-General Viceroy by courtesy exposes the personal representative of the Sovereign to the unpopularity which at any time may overtake the head of the administration. If it be thought expedient to have one who will stand *in loco regis*, then it is certainly inexpedient that he should be placed in such a situation as to become at any time the object of political attack and acrimonious criticism. Furthermore, the danger in such an arrangement is that when an official, who is at once the head of the Government and the personal representative of the King-Emperor, becomes unpopular, all the factors that represent British rule in India become unpopular simultaneously. When we

imagine the state of affairs in England if the King were also the head of the Cabinet, an active Chief Minister of State, we can realise the blunder of making the Governor-General Viceroy. This personal representative is now not merely the head of the Administration; he is also the Agent of the Secretary of State. In an interesting controversy between two such distinguished combatants as Lord Morley and Sir Valentine Chirol there was recently brought out the inexpediency of such a combination. On the one hand, Lord Morley proved up to the hilt the theory of "agency" by an overwhelming array of parliamentary provisions and declarations of State. On the other hand, Sir Valentine Chirol took his stand on the simple yet irresistible statement, "The Viceroy is the direct and personal representative of the Sovereign, and in that capacity, at any rate, it would certainly be improper to describe him as the Agent of the Secretary of State." As a matter of fact nobody describes the Governor-General in his capacity as Viceroy as the Agent of the Secretary of State; nevertheless, because he is the Viceroy, he does not and cannot cease to bear towards the Secretary of State the position of an agent. That is to say he is Viceroy as Viceroy, he is Governor-General as Governor-General, he is an Agent as an Agent. He is three while being one, he is one while being three. In Indian politics he is a unified trinity and a threefold unity. The position is indeed so incongruous and absurd that no nation which has an eye to political anomalies would have been enamoured of it; but England has looked upon it as an ideal arrangement, simply because she did not initiate the government of India as a systematised under-

taking. There was a time when India had only Governors of Presidencies, without even a Governor-General. Then came a Governor-General who was designated Governor-General of Bengal; to him succeeded a Governor-General of India; and finally a Viceroy was found by courtesy in the Governor-General. The next step in this order of evolution is a Viceroy by statute and a Governor-General pure and simple. The Indian Constitution has been a matter of growth, and hence some of its features are incongruous and anomalous; further growth, which is mainly a process of differentiation, should bring about a gradual removal of these anomalies. *The Governor-General's intimate association with the administration and his subordination to the Secretary of State alike demand that, if it is necessary to have a personal representative of the Sovereign in India, such a representative should be neither at the head of the actual conduct of affairs nor an instrument of the Secretary of State.* It has been suggested that if the Governor-General were not to preside at the meetings of the Imperial Council, he might be regarded more as Viceroy than as Governor-General, and that in such a case even a member of the Royal Family might be appointed as Governor-General and Viceroy, and that the two offices need not be separated. This suggestion completely ignores the fact that the Governor-General is the chief directing head of the Administration, apart from the position he occupies as President of the Council. He has to exercise powers of control and supervision over the Local Governments, and there are several departments under the immediate charge of himself and of his Executive Council. He cannot divest himself of

these responsibilities in order to keep himself on a higher political altitude as the direct representative of the Sovereign. Nor is it in the best interests of British rule that the contact between the Governor-General and his Legislative Council should be diminished. Of all opportunities that he has of estimating public views, the best and the most reliable are the meetings of his own Legislative Council; and it will be a mistake of the first magnitude for a Governor-General to cut himself off to any extent from such an invaluable source of knowledge and correct information and deny himself this personal contact with the representatives of the people. On the other hand, as Indian politics advance, there will be an increasing demand for greater co-operation on his part with the work of his Legislative Council, for more personal devotion to administrative affairs and problems, for more intimate knowledge of the needs of the various provinces. Hence the head of the Administration must not be made less of the Governor-General to be made more of the Viceroy.

SECTION II

The Obvious Solution

There are four conceivable courses that suggest themselves in dealing with this question: India might have a Governor-General only, doing away with the courtesy appellation of Viceroy, as before 1858; or the *status quo* might be maintained, Governor-General and Viceroy being combined in the same person; or, thirdly, the Governor-General and the Viceroy might be different persons; or, fourthly and lastly, there might be a Viceroy alone. For reasons which

are quite obvious we cannot go back upon the first of these; we need a personal representative of the Sovereign in addition to the head of the Administration. The anomalies and drawbacks resulting from the present arrangement of combining the two offices in the same person are too real and embarrassing to be overlooked, especially when we realise that the Governor-General must necessarily be an executive agent and a political subordinate of the Secretary of State. For a very long time to come, *i.e.* not until India becomes a self-governing country on a thoroughly representative basis, can the British Administration of India be limited to the mere presence of a Viceroy, the representative of British Sovereignty with a power of veto under certain conditions. It is obvious, therefore, that we cannot do without a Governor-General, and we ought not to do without a Viceroy. To be compelled to make shift with one person holding these two offices has become increasingly difficult and will be found far from conducive to the higher interests of the two offices. To effect a statutory separation[1] of the two, and to confide the office of Viceroy as a matter of custom to a member of the Royal Family, is a step justified by our practical requirements, demanded by the further progress of the country, emphatically called for in relations with Native States, and clearly approved by political prescience as a great constitutional device, pregnant with enduring possibilities for good. If this separation is advisable in itself, every consideration points to the supreme desirability of the office of Viceroy being

[1] The suggestion of the creation of a statutory Viceroyalty to be held by a member of the Royal family as distinct from the Governor-Generalship of India was, so far as the writer is aware, first made in April 1911 in a paper read by him at a meeting of the East India Association, with the Earl of Ronaldshay in the chair.

held by a member of the Royal Family of Great Britain. England, of all countries in the world, is peculiarly fortunate in having a system of government in which the power rests ultimately with the people, but the stability whereof is secured by the principle of monarchy. If there is any country on the face of the globe in which the principle of monarchy has sunk deep in the hearts of the people, where kingship is an integral part of every system of polity and considered almost a religious necessity, that country is India. Here a territory without a king is likened to a body without a soul; other instruments of Government, such as village panchayets, town assemblies, and councils of the learned and the wise, have never been considered as substitutes for an anointed monarch required to "bear the burden of sovereignty." Officials and ministers there might be in abundance, but the king was the reflection of God on earth, and the happiness of the people was committed to *his* charge. Not only so, but they have always believed and believe even to-day that where there is not a king the happiness of the people is nobody's concern. Although such a sentiment may not receive universal acceptance in England and India, we cannot ignore that it is the sentiment of hundreds of millions of the Indian people. It will be admitted on all hands that the level of official responsibility will be considerably raised by the presence of a member of the Royal Family, of one who will stand in the place of the King-Emperor, whose watchful eye and vigilant concern no deviation from justice and rectitude can escape. There cannot be the slightest doubt anywhere that, with the advent of one who is no mere official, but is by birth

a fit representative of the throne and sceptre of England, a higher tone will pervade the administration, and the *moral* of the Civil Service will be improved. The officials will be conscious not only of his presence, but also of the great veneration in which the representative of the Sovereign is held by the people, and will not fail to realise how they will be darkening the lustre of his position by any evil practices. We do not mean, of course, that every official will become a saint or an angel directly a Royal Viceroy is appointed, but there can be absolutely not the faintest shadow of doubt that the entire officialdom, British and Indian, will come under a far higher influence than is likely under other conditions, and that the moral grandeur of British rule in India will stand out more clearly than ever before in the estimation of all classes of the population. To describe, or rather to dispose of, so potent a factor in the Government of this country as a "shadow," is to have no eyes except for red tape and black boxes, and to be wanting in that political vision which distinguishes the statesman from a glorified tax-gatherer. To leave the constitution of the Government of such a vast empire, whose ancient faith in monarchy is still a living faith, without even a fit and proper representative of the Sovereign to embody in his person the lofty and stable elements of the British Constitution, is to leave the political firmament of India without its lodestar, and to expect a shifting officialdom to secure that abiding trust and steady confidence which can be induced only by a great institution with its roots in the heart of the people.

When we consider the absence of a Royal Vice-

royalty from the point of view of the princes of India who rule over a third of its area, it amounts not only to political neglect, but to political folly. There is no class of people which for loyalty and devotion to an acknowledged suzerainty, for innate delicacy of feeling, for a quiet resolute adherence to their own ideas of dignity, can surpass the princes of India. Some of them must, nevertheless, have been feeling the preponderance of authority centred in the hands of paid officials and the total absence of Royalty in India to whom their representations can be made, and through whom whatever needs adjustment in their own affairs may be set right. At Durbars the solemnity of the royal presence is almost always missed. In most matters pertaining to themselves there is no method by which the representation of the princes of India as a body may be methodically and systematically made to the Government. Now that the Supreme and Local Executive Councils are being liberalised, there must be some perturbation in the feelings of the princes as to how far it will be possible for them in the near future to preserve unimpaired as heretofore their sovereign dignity in the eyes of their own subjects and countrymen. The tendency towards democratising the Government of India is so unmistakable and clear, and perhaps inevitable, that it will be a serious defect not to consider this process in connection with the effect that it may have on the rulers of Native States. If we do so consider it, what solution can be half as satisfactory as the creation of a statutory Royal Viceroy, assisted by an Imperial Council of Chiefs in dealing with their affairs which come before him through the regular machinery of Government—

the Foreign Department of the Government of India?

Should such a Royal Viceroyalty be created, the actual Viceroy, as representing the Sovereign, will enjoy the powers, prerogatives, and privileges now enjoyed by the Governor-General in his capacity as Viceroy, and, in addition, certain other statutory powers. He will take precedence of the Governor-General, will be the source of all honours, exemptions, pardons, and privileges, the person in whose name all proclamations and charters will be issued, and all treaties and conventions entered into; by him, at the instance of the Governor-General in Council, all successions to Native States will be recognised; to him will be made all representations of a personal character from rulers of Native States. In matters concerning these rulers he may be aided by an Imperial Council of Chiefs, partly elected by the Chiefs themselves, and partly chosen by the Viceroy. His functions in the main will be threefold:

Firstly, he will be the source from which proceed all honours, pardons, proclamations, charters, and recognitions of succession to states, and the person in whose name all treaties and conventions are entered into.

Secondly, he will be in contact with rulers of Native States through the Governor-General in Council on the one hand, and the Imperial Council of Chiefs on the other, and will be the determining authority in India in regard to important questions personally concerning them. He will, however, leave administrative affairs to the Foreign Department of the Government of India.

Thirdly, in all matters whatsoever he will possess the extraordinary power of bringing on his own

initiative any question pertaining to British India or Native States to the notice of the Sovereign and his constitutional advisers for final decision, which will be regarded as that of his Imperial Majesty. He may also in his discretion take similar action at the suggestion of the Government of India or of the Imperial Council of Chiefs, and will stand as the visible embodiment of royal prerogative and power, and will be a bond of the utmost strength between the Indian Empire and the British Constitution mainly because untrammelled by the burden of administrative responsibilities.

It will be seen that the Viceroy's place in India has no analogy to the office of the Governor-General or to that of the Secretary of State. The new Viceroyalty will be the embodiment of *British Sovereignty* in India, the outward expression of British sway and solicitude, detached from the burden of administration. Its moral dignity, its Imperial significance, its inward grandeur, and the lustre of royalty, will all be impaired if the occupant of such Viceregal dignity be placed on the footing of a paid official. While, therefore, the cost of his entourage and his upkeep in India may be borne by the Indian Exchequer, his personal expenditure will have to be met by the British Exchequer as at present, and, if necessary, on an increased scale.

It will perhaps be better to anticipate a difficulty of a practical kind that may be raised in this connection. It might prove impossible always to find a member of the Royal Family to occupy the place of Viceroy. Provision against such a difficulty may be made by His Majesty choosing in his absolute prerogative any competent person to occupy the place of Viceroy in the absence of a member of the Royal

Family, or to act as Viceroy-Regent when the Royal Viceroy happens to be a minor.

The possible difficulty of finding a lineal successor to the throne of England (or of any monarchical country) has not yet suggested as a solution of the difficulty the abandonment of the principle of monarchy. England has sometimes been compelled to resort to a collateral branch of the Royal Family to find an occupant for the throne. The main fact to be kept in view is that whenever a royal personage was available for the post of Viceroy, this arrangement would be far better than the present one; and whenever such a person was not available the position would not be worse than at present; moreover, *the separation of the two offices in such a manner that the representative of British sovereignty would not also be the chief directing head of the administration would have been effected.* The further consideration has to be borne in mind that the bond between England and India cannot be perfected so long as there is in India no more than *an administrative machine*, however efficient and admirable it may be for the purposes for which it is designed.

If the expediency of, and to a large extent the actual need for, the creation of such a constitutional bond, certain to grow in time into a great constitutional safeguard, should be agreed upon, present difficulties in regard to details may be easily overcome by a little perseverance and patience, and future ones may be overcome as they arise. Too much emphasis cannot be laid on the fact that a Viceroy on whom the burden of administration does not press, on whom no official subordination is imposed, and against whom no damaging current of

criticism can be directed as an official, can alone satisfactorily and completely fill the office of a *personal representative of the King-Emperor*. He alone can prove himself a unifying factor, an embodiment of the stability of British power in India, and if need be, a PLEDGE of British solicitude to cement India and Great Britain together in a solemn bond of enduring political brotherhood. It will be the strongest link yet forged by the political sagacity of the country that has displayed in the greatest degree known since the days of the Roman Empire, surpassing therein even Rome itself, an inborn aptitude for the government of foreign countries and nationalities; and it will be a link admirably adapted to the undoubted political genius and actual requirements of India.

With the forging of such a link, the period of India's political isolation in the Empire will terminate, and the era of British sovereignty in all its fulness will begin, to the mutual benefit of England and India. Not the least important effect of this will be that it will tend to strengthen in the United Kingdom and throughout the British Empire the basis of Royalty, which has been more than anything else the embodiment of Imperial unity, and the mainstay of a purposeful British ascendancy for the achievement of aims that have constantly in view the advancement of human welfare. We may not be able to foresee all the beneficent consequences and all the pregnant and far-reaching results of such a change; we may not be able to anticipate and solve beforehand all the constitutional points for decision to which it may give rise, one after another, in the course of experience. We may not be able, whether in regard to the sum total of its good results or in

regard to the probable outcome of issues that may necessarily call for settlement, to keep in view the full range of emerging possibilities or to hazard a statement that may cover the journey into the future. Political constitutions cannot be developed on lines that are visible to us throughout; and the best we can do is to guide our footsteps steadily in the light of unbiassed reason, with the staff of experience, neither forcing our pace unduly, nor allowing ourselves, in a spirit of unwarranted doubt or of faint-hearted content with the distance that has been traversed, to be deterred from taking the next necessary step. Not in progress, but in inaction before the clear need of our own times, lies the nearer and greater danger. In the attempt to cope with our requirements stands the prospect of safety and the certainty of the reward to be meted out by contemporary judgment for courageous effort.

When the Governor-General ceases to be Viceroy, his position as the Supreme Directing Head of the Administration will have to be strengthened in his own Council as a factor of decisive responsibility and a liberalising influence. It should not be incumbent upon him to overrule or agree with a majority of his Council to exercise the powers of the Governor-General in Council. Seeing that the Legislature can operate as a check against any dictatorial assumption of authority, it should be open to the Governor-General to act in concert with the member in charge. Between the majority of his Council which he has to placate, and the India Council to which his decision must go otherwise, the object of a British statesman being chosen for the office of the Governor-General is often frustrated in material respects.

CHAPTER VII

IMPERIAL AND PROVINCIAL FINANCE

SECTION I

Taxation and Expenditure

ALTHOUGH Indian finance must largely continue to be a matter of executive responsibility, still there are several directions in which a change of spirit and of method is called for both in the interests of the people and also to secure to the Government of India a larger measure of fiscal autonomy. It will be admitted that, though the people of India cannot for a long time to come have an effective voice in the raising or the disposal of the country's revenues, the Government should be free to pursue in fiscal questions the policy most advantageous for the country. It should be free to avail itself of the benefits accruing from its vast extent and varied climatic conditions and the immense productive capacity it derives therefrom. India's fiscal policy should be determined in its own interests, subject to such obligations as India may have to own and discharge towards the United Kingdom, and not by an application of economic doctrines suitable to another country differently situated. The claim of England to benefit by her connection with India ought not to lead to her

imposing a fiscal policy absolutely detrimental to the interests of India in respect of other countries of the world. The sphere of influence of the Home Government in Indian tariff questions should begin and end with what directly concerns the United Kingdom. Outside this limited circle the independence of the Government of India should be expressly secured by statutory provisions to prevent all possibility of its being vulnerable on account of delicate international considerations. The Government of India should be its own master in all questions of tariff so far as they bear no relation to any part of the United Kingdom. Whether our policy in regard to the rest of the world be free trade, fair trade, protection, preferential reciprocity, or anything else, the Government of India alone should be the authority determining that policy. The Home Government should place itself under a self-denying ordinance in regard to interfering with the Government of India outside this accepted sphere of influence. They must abjure the power of interference, *remembering* the Colonies and forgetting the absence of the right of self-government in the people of India. The fiscal autonomy of the *Government of India* has nothing to do with *the political stature of the people*; it is a right of the Government, and a right that it should possess in the interests of economic prosperity and to satisfy the requirements of the Public Exchequer. To subject India to any other policy is at once unjust and immoral, unwise and unrighteous. Dragging her under the heels of a free-trade policy as though the deductions of economics are unconditioned and unqualified laws of universal sway, is to be high-handedly perverse or transparently hypocritical. "What is good for me

is good for you," is a piece of unendurable hypocrisy or intolerable stupidity—when "you" and "I" are diametrically opposed in means, opportunities, and capabilities. As the carrying country of the world, as a country that cannot grow its own food grain, as a country that must import every raw product, as wholly a manufacturing, carrying, and ship-building country, England does well to pin her faith to free trade. Even in such a country, however, there is a weighty body of public opinion that looks upon free trade as too abject a surrender of her interests as the heart of a great Empire with Colonial dominions. In the case of India, the imposition of such a whimsical policy is an economic sin and a political stain, and amounts to a policy of fiscal cruelty.

It is easy to state these propositions, but difficulty arises when we set about securing fiscal freedom for a Government which in this respect more than in any other has been looked upon as an agency rather than as an entity. In order that the Government of India may claim, safeguard, and exercise without fear the fiscal freedom that rightfully belongs to it, not only should that freedom be expressly recognised by statute, but the Council of the Governor-General should be made a more independent and self-reliant body. The present practice of leaving the majority of its members in a position from which they may look forward to promotion in India, or to a seat in the Council of the Secretary of State, has aggravated the evils of the agency theory and tended to sap the vigour and vitality of the Council. In discussing the constitution of Provincial Governments, we have advocated the conversion of Lieutenant-Governor-

ships into Presidency Governments, or alternatively the offer of the Lieutenant-Governorship to a competent British politician outside the ranks of the Home or the Indian Civil Service, a man who can supply as the head of the administration that discerning statesmanship which no Secretariat can supply and no one who has grown grey within the narrow confines of Indian officialdom can be expected to have developed. Should effect be given to this, the highest place to which a civilian can aspire will be a seat on the Council of the Governor-General, and he will then have to consult no chances of promotion. Those who take a share in moulding the policy of the Government of so vast and populous a country as India should labour under no disadvantage in exercising their powers with an independence which no favours to come can possibly bow, bend, or demoralise. At the same time, men accustomed to hold their own in responsible positions in England should be selected for one or two seats on the Council of the Governor-General. By constitutional custom one member will usually be a non-official Indian, and there is no reason why, of the three members holding the portfolios of Education, Finance, and Commerce, any one or two should not be Englishmen outside the Home and the Indian Civil Service. The custom may be gradually established of the Governor-General's coming from England with one or two colleagues whose term of office synchronises with his own. He must of course be the moving spirit of his Council; but he will derive a degree of moral confidence and co-operation of a higher type, both of which will be of invaluable assistance, if at least two members of the Council

are contemporaries who can fully share his enthusiasm and his freedom from bureaucratic prejudices and limitations. Every Governor-General who has now to prepare himself to run in harness with a Council of crusty civilians who have once for all settled what is good for the country, their surviving ambitions at the end of a prolonged career of dreary routine and red-tapism being more personal than administrative, will feel a new man with this wholesome leaven of British political independence, tending to expansion, buoyancy, and renovation. Such a body will not fail to benefit by the expressly-recognised fiscal autonomy of the Government of India subject to the direct interest of the United Kingdom. Although India deserves protection from Great Britain herself, still, considering all that she owes to England, it is assuredly not a sacrifice which we need grudge to allow England to benefit by free trade, subject to the needs of our necessary revenue and our nascent industries; but with this exception the Government of India should have perfect freedom and sufficient power to retain its fiscal authority in its own hands.

At the same time, a beginning should be made of associating the non-official members of the Supreme Legislative Council with the Government in a definite manner on questions of taxation. If, as we have urged in a subsequent chapter, the temporarily settled estates should be given the much-needed benefit of a long settlement of ninety years by a legislative enactment, the question of land tax, the one principal source of revenue, will cease to be a subject of vexatious contention, and all other taxes may be put upon a legislative basis. Every measure of taxation will, like other legislative measures, be considered

carried, unless rejected by a special majority; if so rejected, it should be open to the Government to give effect to it as an executive measure for a period of three years. After this it should cease to have legal sanction unless assented to by the requisite number of votes, and resort to it as an executive measure should be impossible during the period of three years following. Three years being the duration of a Council's term, if two Councils should successively reject a proposed tax by a special majority, it should be considered as not simply unnecessary but odious. From the way in which the non-official members have hitherto exercised their privileges, there is no reason to apprehend that they will play pranks with the ways and means of conducting the administration of the country. It is true no doubt that in India, should the Opposition thwart the proposals of the Government, the restraint born of the responsibility for carrying on the affairs of the country does not exist. But there is always the conviction present that any perverse persistence in an opprobrious use of the privileges conceded may lead to their speedy modification. The great need is to trust the non-official section with some qualified powers of association with the Government in determining the taxation of the people, under such safeguards as will not render the powers granted altogether nugatory. The effect of such a provision will almost invariably be a greater disposition on the part of each to credit the position of the other with such weight and influence as will ensure an acceptable modification whenever necessary. If any levy proposed by a special majority of the Council be rejected by the Government, but be carried by a similar majority

at the next session of the Council, it should become obligatory on the Government of India to submit it to the decision of the Secretary of State. As regards expenditure, it should become a constitutional maxim that, although all should be subject to the control of the Secretary of State, none should be imposed on the Government of India without its concurrence. Should there be a difference between the two, a special vote of the House of Commons should be obtained to impose the proposed burden on the Indian Treasury. Although such a vote may be easily obtained under the present party system of Government, it will give an opportunity for an open debate, which Cabinet will, in certain circumstances, be wary of provoking. This safeguard will cause the Secretary of State scrupulously to consider the position of the Government of India. Again, although the expenditure of Indian revenues in India and elsewhere is subject to the control of the Secretary of State, the actual and formal allotment should in every case proceed from the Finance Member of the Government of India as an Indian budget allotment. Thus every coin spent out of the Indian revenues will be a grant of the Government of India, and no financial transaction touching the Indian revenues will be or could be withdrawn from its purview. The reforms set forth in regard to Parliamentary Control of India will make it plain how such a change could be brought about even with regard to the cost of the India Office in England; without stating those proposals here, it may be briefly laid down that, although the control of Indian revenues is vested in the Secretary of State, every allotment of expenditure should be made by the Government of

India, and none should be forced upon it against its discretion and judgment except by a vote of the House of Commons.

SECTION II

The Budget

The Indian public anticipates a time when the Imperial and Provincial budgets will be alterable at the discretion of the representatives of the people. That day is as yet far off. It is needless, therefore, to discuss an aspect of Indian administration that cannot have the interest of practical politics for a long time to come. This fact need not deter us from considering whether there is no intermediary stage between the present state of practical exclusion of non-official control in regard to the budget and the complete surrender of the power of the purse to the Legislature. For one thing, it will be too long a jump from practical impotence to practical supremacy; nor can a Legislature worthy the name be condemned for an indefinite period to remain content with moving resolutions to which effect may not be given, or making observations with which the Government may not care to trouble itself. The best method of bridging the gulf between complete absence of all power of change or initiative and full possession of it, is to make a distinction in the budget between unalterable and alterable heads of expenditure. What we would suggest is that the whole budget should be divided into two portions, the first of which may be designated "Budget Allotments" and the second "Budget Proposals." The first will include external and internal defence, home

charges and such other items as may be deemed sufficiently important to be regarded as unalterable allotments. The second part of the budget will include expenditure on public works, education, sanitation, medical relief, etc. While with regard to the first it will remain open to the non-official members to move resolutions which it will be optional for the Government to accept or not, with regard to the second the provisions should be liable to alteration at the discretion of a special majority of the Council. The trend of progress will be gradually to narrow the domain of Budget Allotments and widen that of Budget Proposals. The distinction may be abolished earlier in the budgets of those provinces which may be ripe for the privilege, although it may have to be retained for a much longer time in the Imperial budget. So long as Legislative Councils have different functions to perform, their procedure and powers must also vary. Nor need the fact that a restriction of their rights is necessary in one particular throw upon them restrictions in other particulars. There are classes of budget provisions of which the Executive must have the final disposal for several decades to come; there are others in regard to which a practical unanimity of non-official opinion may be acted upon by the Executive without throwing the machinery of administration out of gear or impairing its efficiency. There is no reason why a distinction should not be permitted between these two classes of provisions. Should it be considered that the experiment ought not to be made on the Imperial budget in the first instance, it may well be started in the case of the Provincial budgets of the major provinces and then extended to the Imperial budget. But in no case will it be advis-

able in budget affairs to make a reference to the Secretary of State, as has been proposed in the case of legislative bills and resolutions moved by non-official members. Budget Allotments must finally rest with the Government of India, while in regard to Budget Proposals effect must be given by the Government to alterations made by a special majority of the non-official section of the Council. No matter how limited the sphere of Budget Proposals to begin with, a beginning should be made somewhere. The heads of Allotments and Proposals should be determined by Parliament and be embodied in a statute from time to time. To accustom the non-official members to the exercise of power is far better than to leave them without it until the time may come for them to claim unreserved control over national expenditure.

SECTION III

Provincial Finance

The growth of the fiscal autonomy of the provinces may be briefly described as a process of evolution, still incomplete, from status to contract and from contract to contribution. The second stage has yet to begin, but there can be little doubt that the future development of provincial autonomy subject to the imperial responsibilities of the Government of India lies in that direction. A fair distribution of the loaves and fishes of the Imperial Exchequer amongst the provinces has often exercised the Finance Members of the Government of India. Since they are only human beings after all, they have naturally found it difficult to resist the importunities of those who have

had readier access to the throne of grace, or to withstand the considerations that usually appeal on the score of proximity. The system of "provincial contract" which allots provincial sources of revenue in whole or in part has, besides its other virtues, the advantage of contributing to the peace of mind of a Finance Member. Although such a system will naturally relieve him to a material extent of the difficulties of distributing his hoards, and secure elasticity in the provision made for the provinces, the arrangement does not embody the utmost practicable quantum of financial justice to the provinces. The common notion that imperial sources of revenue should be mainly available for imperial purposes, and provincial receipts should be utilised for provincial needs, is no doubt a neat proposition, but it does not go to the root of fiscal justice. The difference between imperial and provincial sources of revenue is material only so far as the authority imposing the tax and the area to which it applies are concerned. For instance, customs duties and the income tax are imperial imposts, but the revenues from them are from provincial areas, just the same as provincial receipts. Any line of demarcation between receipts from provincial and imperial sources, to the prejudice of the fact that essentially they are all provincial, is merely fanciful. There are, no doubt, a few items of purely imperial revenue, such as tributes from protected States, profits from coinage, and interests on loans made by the Secretary of State, as well as a few other sources of income which for the sake of convenience ought to be treated as purely imperial, the revenue from the operations of the Post Office, for instance.

Excluding these, several which at present pass for imperial imposts are in fact no more than provincial revenues. The proper method of allocation will therefore be for the Government of India to obtain from the provinces a contribution towards imperial purposes, in addition to the purely imperial revenue, such contribution to be a definite proportion of the total provincial income to the imperial expenditure, the balance in each case being left at the disposal of the provinces themselves. Such a system of provincial contribution will mark a necessary advance on the present unsatisfactory device of "provincial contract." The first objection that may be put forward to such a proposal is that there may be need for the Government of India to make contributions to any Provincial Government on account of want of adequate income to meet all its requirements. The equitable way of dealing with such a situation will be to permit the local Government to raise a provincial loan to be discharged by the province itself, and not to resort to a remedy of forced benevolences from the other provinces. The present contractual system, although an improvement on its predecessors, unnecessarily makes the position of the Finance Member one of acute anxiety. If he be disposed to be unfailingly and undeviatingly conscientious, he must take upon himself to a large extent the entire provincial administration of India, and must determine the needs of each province and apportion his gifts accordingly. The difficulty of doing justice to such a task in so vast a country as India may be easily imagined. Further, the present policy of depriving Peter to pay Paul under the misleading term of provincial contract involves substantial in-

justice to the provinces. A system of fiscal relationship between the Government of India and the Provincial Governments, in which the income of the provinces will be available for provincial needs and developments, excepting what they have to contribute towards imperial expenditure, ought to be *the basis of provincial autonomy* if it is to be real and satisfactory. It is essential to bear in mind that the Government of India is not a Government which has to administer a single area ; it is merely a controlling agency with enormous powers of initiation, and its responsibilities are wholly imperial. The actual administration of the country is carried on by Provincial Governments, with the funds available under allotted sources of income and with the additional grants made at the choice of the Finance Member. In requiring Provincial Governments to carry on the administration of the country under such a system of financial dependence, the Government of India throws upon them the responsibility of a sound and progressive administration without giving them the full benefit of their financial resources and reserving just enough to meet the imperial expenditure of the country. To take from the provinces much more than is necessary for imperial expenditure, and then to distribute among them the balance, if any remain, is a primitive policy embodying a patriarchal system of financial equity. The principle ought to be recognised that the financial resources of every province, under whatever name they may be classified, ought to be utilised for two purposes only, and not for a third, these two being, firstly, the cost of provincial administration, including the pensions payable to the retired civil servants of every province, and secondly,

the contribution towards the imperial expenditure. The third purpose, that of filling up the financial gaps and depressions of one province from the resources of others, ought to be given up as unjust and injurious to the highest standard of administration. Every province must stand on its own legs financially, and make its own share of contribution towards imperial purposes as well, and must be fully entitled to the benefit of its balances, while in the case of a deficit it must resort to a provincial loan. Under the present arrangement the Government of India practically assumes the responsibility for meeting the expenditure of a province as well as its contribution to the Imperial Exchequer. That task and that responsibility must devolve upon the provinces themselves, and the Government of India should cease to practise benevolence in the interests of one province with the balances of another. If the recognition of the principle that in reality all sources of revenue except the few that have been indicated are provincial in fact, and ought to be liable only for contributions towards imperial expenditure, is the *real basis on which the autonomy of the provinces can be built to any purpose*, it is also necessary in the interests of the purity of Indian fiscal administration. The Finance Member at present may be prone to regard the major portion of the revenues of India as being at his own disposal, and may be drawn into generous allotments for imperial purposes. If on the other hand he will relinquish his hold of the revenues of India as a whole, being entitled to a contribution from the provinces for his own purposes, he will be better able to withstand the demands of heads of imperial departments and the expectations of

needy or importunate or influential Provincial Governments. Such a system will be the foundation of a greater measure of provincial prosperity and enterprise, and will at the same time ensure a sense of economy in the sphere of imperial expenditure. There is no reason to apprehend that such an arrangement will lead to laxity of control on the part of the Imperial Government, or that it will involve any diminution of the imperial authority of the Government of India, or that the supreme discretion of the Government of India, in regard to taxation and expenditure or in any other sphere, will be to any extent minimised. It only means that each Administration will pay for its upkeep and the development of its resources, and will be further required to find its contribution for imperial obligations.

SECTION IV

Currency

Before we conclude this chapter, a few observations on the Currency question will not be out of place. It has often been a "muddle," and always a "bother." At the bottom of all our currency troubles, however, lies the root-explanation that India is ruled by a foreign country, governed by a foreign agency, and protected by a large foreign army whose standard and source of equipment alike are foreign. Let us add to these features of the situation an additional fact of no little importance, the ever-increasing exploitation of the country by foreign commercial syndicates, to which the Government of India is pledged to give every kind of facility, administrative and legislative. A Government placed

in this situation, with the Home charges that it has to pay, with the adjustments that have to be made in balancing trade, with the obligation to meet the grievances of an imported service agency, must surely find that the task of steadying a currency different from that of the ruling country is as anxious a problem as any that may confront a State. To add to the complexity of the problem there is the fluctuation in the valuation of silver and gold, and to complete it there is the fact that Indians act on the principle that they have a right to "absorb" gold, *i.e.* not to allow it to remain in a liquid state, but to make it a part of the country's "dead" assets. The Indian Currency problem under such circumstances may by turn fascinate and confound anybody who has not to act, but since a Government is compelled to act, it has to overcome the fascination and the confusion alike by resorting, when necessary, to heroic remedies, the element of safety being that there is nothing to prevent what the Government resolves upon. The closure of the Mint not only becomes necessary, but seems indispensable for securing the financial stability of the State. The introduction of a gold standard assumes the importance of obligation, but uncomfortably enough gives the gold-absorbing power of India an opportunity steadily to assert itself. The Government finds that, if the one fact of the country being ruled by a foreign country leads to one set of currency troubles, the other fact that the people of India have an inborn talent for arresting the fluidity of a gold currency leads to another set of troubles. We cannot get rid of the one or the other or quarrel with either. An ancient country like India, conditioned by all the

vicissitudes through which it has passed, and unaccustomed to and distrustful of Western modes of investment, knows better than France the value of hoarding gold, and clings to it tenaciously as though that were its second nature. If the Mint had to be closed, because the British Service Agency, Civil and Military, had to be retained in India, then correspondingly the conversion of a currency into the dead effects of the country has to be suffered, because the people cannot understand why they should not alter the form of what belongs to them, and because gold hoarding has been the country's method of investment from time immemorial. The native of England understands that he has only a right to the use of the coin as a *coin*; the native of India believes he has a right not only to use it, but to misuse it, to mutilate it, to destroy its mobility; *i.e.* to undo all that has been done for it as a coin of the realm. In fact, his claim is not far different from the claim of the Government in India to treat the public Mint as its own private property, and to close it, if it cannot cope with the currency muddle in any other way. The coin, as well as the Mint, is in the West the property of the nation; but in India the coin is the property of the individual who has it, and the Mint likewise is the property of the State, to be open or closed to the public like a private hospital at the pleasure and convenience of the charitable donor. The two ideas are unconsciously reciprocal. In England the character of a coin is "once a coin always a coin," but in India its character is "to-day a coin, to-morrow an ornament," and once an ornament always an ornament, never a coin again, a dead asset,—what the Indian calls "emergency wealth."

In fact, the Indian's feeling is that his prospect of keeping it as an ornament is more certain than that of his retaining it as a current coin, and he is absolutely right; only he is unfortunately accustomed to retain and not to invest. But the question with which we are directly concerned is: What is the use—in such a country as this—of importing coins by shiploads and paying considerable freight without opening a Mint, of condemning a dead asset to remain a dead asset without allowing it a chance to become once again a moving monetary force? The Government, as well as its critics, has to realise that the country cannot go back upon the gold standard for a long time to come, any more than upon British administration. If the fixing of the gold standard, with the resultant necessity of importation of sovereigns (although gold has been *exported* from India for years past) and its concomitant gold "absorption," is a situation to which we must reconcile ourselves, there is no way of escaping a gold Mint in India—without committing a serious currency blunder. The best policy is, therefore, to open a Mint in India for the coinage of sovereigns, so that absorbed gold may be given a chance of being put into circulation again. Then the open road need not only lead from the Mint to the melting-pot, but a way may also be found for the product of the crucible of the goldsmith to assume the appearance of a coin of the realm. The opening of a gold Mint does not of course mean the replacing of the existing silver currency as a legal tender by a gold currency. It only means recognising the logical result of a gold standard in a country like India, and extending correspondingly the benefit of it to

Indian mercantile agencies as well. Nor may we overlook the consideration that India is a gold-producing country itself, that some of its gold is as good as the best gold of the world, and that the Government of India has no right to add to the public expenditure by importing sovereigns minted in England out of the gold exported, among other countries, from India. But to issue any coin other than a sovereign will be to stultify the whole solution, and to introduce an additional factor of complication. The only difficulty of a technical nature in the establishing of a Mint in Bombay for issuing sovereigns can be got over by an appropriate amendment of the existing provisions, as there is nothing *sacrosanct* about them. Nor can there be anything derogatory to England in conferring the right and privilege of coining gold money upon an empire so vast and ancient as India—a privilege it enjoyed long before England could clothe itself in decent garments. Further, the opening of such a Mint, besides raising the political status of the country, will stimulate Indian trade and bring into circulation and investment a good portion of what is now condemned to remain uninvested. There is no reason to conclude that it will permanently raise the cost of living, so long as a gold currency does not supersede the silver currency. Nor is it a valid argument that without an open silver Mint there should be no gold Mint in India. The two stand on different footings, and there is no warrant for our involving ourselves in fresh complications by undoing the policy of 1893, simply because a gold Mint is to be established as one result of that very policy. The silver Mint was not closed because there was

no gold Mint; it is not necessarily therefore to be opened now because a gold Mint is to be opened. Its reopening can be safely brought about only by a modification of the circumstances that necessitated its closing. The critics of the policy of 1893 may inveigh against it with all vehemence; much of the criticism may be theoretically justifiable on *a priori* grounds; but, if dispassionately examined, the measure of 1893 was called into existence by a political law very near to self-preservation. It might have been a measure of "strangulation," but it was necessary to prevent self-immolation, and, as every Indian knows, the wall is necessary for the picture to be painted. The measure of 1893 must stand good for some time yet, especially as we have borne all the evil to which it immediately led. At the same time, the true solution of the far-reaching currency problem, which in its deeper bearings is only a phase of the economic problem of India under British rule, lies in making that rule as little burdensome as foreign rule can be. Unless this is done, British rule, however much of a success in other respects, will ultimately prove an economic failure, and that is a failure for which there can be no remedy except in resorting to measures far more dangerous than the closing of the Mint. To minimise as far as possible the payment that has to be made in gold on account of the employment of a foreign agency is absolutely essential, not only in the economic interests of the country, but to enable the Government of India to place *its currency on a stable basis*. It is *the annual indebtedness* of the Government of India, on account of its obligation to pay in gold, that imposes upon the Government all its currency troubles, and

the question of a national Mint in India ultimately turns upon the problem of confining this indebtedness within indispensable limits. The question of all annual payments where payment is to be made in gold has increasingly become not only a question of draining the wealth of the country, but also of exchanging silver for gold to effectuate that drain; *i.e.* India has not only to pay for foreign services, but to pay for foreign services in a foreign currency; not only to pay a tribute, but to pay it in the currency of the ruling country; to pay it in the shape of salaries and pensions, besides other amounts for purchases and mercantile service, most of which cannot be avoided. The effects of a foreign rule are cruelly evident under such a policy, and the process of "bleeding" becomes not only exhaustive but exhausting. Any expedient, however heroic, against such a state of affairs, is bound to prove merely temporary, unless the main circumstance which perpetuates the trouble is obviated; and that can be done only by governing India through India, by defending India through India, and by buying in India, as far as may be fully and honestly possible, for every purpose. Then the Mint will belong to the nation without any danger of its proving a pounding machine of hardship. The Government of the country will be released from the obloquy of administering the affairs of over three hundred millions of human beings with no public Mint, as despotic an exercise of executive power as any Asiatic despot could exhibit, which if indefinitely continued cannot but prove a source of acute anxieties, troubles, and disorders. If nature abhors a vacuum anywhere in the regulation of civil

affairs, it is the vacuum created by the closure of the national Mint. It is as abhorrent an exercise of power as administering justice within closed doors and only communicating to the public the result of the trial. As a permanent condition it will be a monstrous arrangement. We do not close our eyes to the fact that it became inevitable in 1893, that it will continue to be necessary for some time to come; but to make the mistake of looking upon it as a *fait accompli* for all time will be to commit a stupid and stupendous blunder. It was necessary for the Government to steady itself at a time of "rush"; but British statesmen must look to a large policy of reconstruction in the sphere of Indian administration to produce stability with regard to the currency of the country, and inaugurate an era of administration which, as it develops, will be compatible with an open Mint.

PART II

PROVINCIAL

CHAPTER VIII

PROVINCIAL GOVERNMENT

SECTION I

Type of Provincial Administration

RESPONSIBLE authorities, both British and Anglo-Indian, have for a long time allowed the system of administration in India to drift without having in their minds a type to which Provincial Governments should, as they progress, conform. It was as a result of a fortuitous combination of circumstances that Bengal, the foremost province, was redeemed from the plight of an administration subject to the capricious benevolence of civilian governorship. Since then it has appeared incredible that Bengal should not have had a Presidency until an unprecedented agitation led to a Royal visit resulting in this change. That, however, only shows the imperative need for having in view a progressive plan of provincial administration. The conception which should vivify such a plan is that the best available British and Indian talent should be utilised at the head of each Provincial Government. We cannot in certain cases dispense with civilian headship, but the general mould of provincial administration should unquestionably be that of the Presidency

form of government. If England is to recognise the responsibility that rests on her in the government of a sixth of the human race, she should not grudge the best material at her disposal and should not be content to give us what is far below that standard. The Civil Service in India has been without doubt a splendid *corps d'élite*, and has maintained an honourable record for honesty of purpose and a high sense of public justice in the discharge of its duties. There have been from time to time individual members who would have brought credit to any post (with the sole exception of the leadership of a parliamentary party) and distinguished themselves in any capacity. Still, there is no imputation in the statement of what is but a bare fact, that the service has developed a marked individuality, has evolved a code of traditions, and has come under the influence of a train of ideas, all of which render it absolutely essential that it should not be trusted to set the pace of progress in the administration. It has created the impression that, as a service, it has too strong a faith in its omnipotence and self-sufficiency, and too little appreciation of virtues possessed by those outside the rank and file of officialdom. It has predilections, prepossessions, and prejudices, which it conserves and perpetuates, and to which successive batches of civil servants are as a body loyal and devoted. It is not easy to wean them from their attachment to inherited notions of what is feasible and proper in the government of the country, as theirs is a case of subjection to the tyranny of early ideas. The Civil Service is an official guild, with prospects and privileges in the nature of a cherished monopoly. It has, as a body, proved its efficiency beyond question, and

in coping with strenuous and responsible work it has gained the unstinted admiration even of its unsparing critics; but its outlook has never been that of the statesman at the helm of affairs. Accustomed to look upon authority as all-sufficing, it is not an ideal school for training men in uplifting nations and communities to a higher plane of civic life and political altitude. It has not been in its nature to yield to popular demands except in obedience to higher official authority on most crucial occasions; it has never been known to throw the weight of its influence on the side of progress. Its main accomplishment in the field of statesmanship has been the multiplication of rules and regulations, while to complicate procedure, to provide a system of endless checks and counter-checks, to amplify references, and to hedge round the work of administration with increasing technicalities, has been its steady endeavour. In administration its favourite resort has been to tighten the official grasp, and a policy of relaxation in this respect has been forced upon it by statesmen who were not of the service but at the head of affairs. However admirable, therefore, for purposes of executive duty, the Civil Service is not likely to furnish men who may be expected to bring to the direction of the government of a province the fervour of a moral purpose, the self-surrender of men with a mission, or sustained faith in the regenerating influence of effort on behalf of others. We do not mean, of course, that every governor of a province sent out from England to India has come up to such a high level of expectation. Indian governorships, the Viceroyalty included, have too often been considered comfortable

berths for men of less than mediocre ability in British politics, disposed of as gifts for the asking, too indecorously included in the category of party patronage. Men of no note in the political world, of no previous administrative experience, of no enthusiasm for India and the claims of Indians, of no special aptitude to win the esteem and admiration of the people of this country, or to promote their love and attachment to the British nation, have been made the recipients of governorships and the Viceroyalty as a matter of absolutely undeserved patronage. They have been no more than social and official figure-heads, the mouthpieces of their civilian colleagues and advisers. Such a disposal of provincial governorships is a scandal if we think of it seriously, and a farce if we are disposed to treat it light-heartedly, but is in any case a grave political danger. It has given rise to the impression that, so long as India is under British domination, it must tolerate being treated as shabbily as the British Government may choose it. Even from a purely calculating point of view India ought at least to get her money's worth of ability, industry, and utility. A good deal of conscientiousness is therefore imperatively necessary in the choice of persons for these responsible offices. If they were so chosen, we should be in a position to get a far better choice of administrative heads than the Civil Service can furnish. A bad or indifferent selection of men can be easily rectified, whereas a whole service cannot be metamorphosed in regard to its faith or faithlessness, its inherent incapacity to liberalise its political creed, or to free itself from the benumbing influence of frigid officialism. It has failed to be, and it never can be, the fountain-head

of those fertilising currents of thought without which the government of a country must ever remain a parched-up waste where nothing but dry and dreary rules and regulations rises above the surface. If there is any sphere of activity where the environment has moulded the character of the men, determined the composition of their ideas, and settled their mental outlook, it is that of the Indian Civil Service. It is so completely dominated by its system, tradition, and surroundings that the men who belong to it become a type by themselves. To correct the excesses of their zealous officialism and to mitigate the effects of their passionate attachment to government from without, it is highly necessary that the head of the administration should be a capable and talented statesman selected from outside the circle of bureaucracy; and if more beneficial results are to be expected, such a selection is indispensable.

Every province should be governed by a statesman sent out from England with the aid of an Executive Council including a non-official Indian. Now that the policy of giving the Lieutenant-Governor an Executive Council has been recognised, there is no need to withhold from the provinces the benefit of a Governor trained in the traditions of English public life and accustomed to government of a higher order. Such a change may also be utilised to bring about, unless insuperable objections arise, a necessary alteration in the provincial boundaries. For instance Sind and the Punjab may be incorporated into one Presidency subject to a Governor-in-Council. Because of its natural boundaries Sind should go with the Punjab and not as at present with Bombay. There is no reason why the Central Provinces

should not be split up and absorbed, the Mahratti-speaking portion going with Bombay and the other parts with the United Provinces or Behar. By doing away with the Central Provinces as a separate charge, all the Provincial Governments, with the exception of Berar, Assam, and Burma, may be presided over by a Governor-in-Council. The North-West Frontier Province may very well form a division of the Punjab, and Coorg may go with Madras. The importance of the Residency at Bangalore will not be diminished by the change, just as the Residency in Secunderabad is in no way lacking in dignity for want of another administrative charge. Coorg will also have a larger life and a share in representation on the legislative board, and its intelligent and educated men a wider scope for finding remunerative work. The conversion of the Punjab into one Presidency, with the addition of Sind and the Frontier Province, is a change that will redound to the benefit of British prestige and authority, and at the same time create a decidedly more hopeful outlook for the people of the Punjab. Behar and Orissa are sufficiently large and populous for Presidency Government, and since they have an Executive Council already the change from a Lieutenant-Governorship to a Governorship is only a matter of financial practicability. The moment that the resources of that province develop so as to justify the full equipment of Presidency Government, the conversion should follow. The claim of the United Provinces, with additions from the Central Provinces, for a Presidency Government must become irresistible. As it is acknowledged to be the "premier Indian province," there is no conceivable justification why it should be

condemned to a lower form of administration. By its detachment from India Burma deserves to be a Presidency in itself, and ought to become one when its finances are better developed.

If, however, the finances of any of the provinces now placed under a Lieutenant-Governor should not permit the formation of a Presidency for a long time to come, there is no reason why the Lieutenant-Governor chosen should not be a British politician from outside the pale of the Indian Civil Service. The pay, prestige, and responsibilities of a Lieutenant-Governor are not so wanting in attraction as to make it difficult to obtain the services of distinguished men of ability from Great Britain, provided always that India is not treated as the pocket-borough of the party in power. Now that the policy of offering an Executive Council to a Lieutenant-Governor is definitely recognised and the United Provinces and the Punjab are certain to obtain sooner or later the benefit of this wholesome innovation, there is nothing to militate against the appointment of a Lieutenant-Governor from outside the ranks of the Civil Service. An Executive Council for the Lieutenant-Governor when he is not of the Civil Service is far better justified than when the head of the province is a member of the bureaucracy. The only possible obstacle to such a reform may emanate from the fact that the Civil Service will be deprived of at least four prize appointments. But in this, as in many other cases, the essential consideration to be borne in mind is that the progress of this country cannot be held as lying under an irredeemable mortgage to subserve the personal and financial interests of an official corps. It cannot be too often reiterated that

the time has come to look upon the Civil Service as the servants of India, and to abandon the habit of determining the country's requirements from the standpoint of the interests of that body. One great benefit that will indirectly accrue from the change advocated is that there will be an end to aspirations for promotion on the part of members of the Executive Council of the Governor-General. It is eminently necessary that members of the Supreme Executive Council of the country should not be aspirants for any patronage from the Government, and that their independence should be unfettered by any expectations of favours to come.

The policy that underlies the appointment of an Indian member to the Executive Council of a province has not as yet been given free play. It should be frankly accepted that there is a difference between the innovation effected in the Provincial Executive Council in this respect and that effected in the Council of the Governor-General. In the latter case there was no statutory prohibition of the appointment of any competent Indian, nor was there any need to increase the strength of the Council for the sake of such an appointment. A long-standing and unsound custom had to be broken, and the courageous statesmanship of Lord Morley was equal to the task. In the case of Provincial Councils the law had to be amended so as to allow an increase in the number of councillors in order that the appointment of an Indian might be guaranteed. The object was to ensure, so far as might be expedient, due consideration for the Indian view of things, and the possibility of carrying that view into effect in the administration of the province. This object will be frustrated if the Indian

member should be persuaded either by himself or by others that he is there in the Council as an additional plank of support to the bureaucracy. We do not want an Indian member simply to give expression to those sentiments which the Indian public have been accustomed all along to hear from the lips of Anglo-Indian officials. From an Indian member they can carry neither more weight nor greater conviction, nor be more acceptable or agreeable. Whether on liberalising the constitution of Taluq Boards or on recognising the reasonableness of "local option," the bureaucratic attitude from an Indian is as unconvincing and pointless as from a member of the bureaucracy. It is, if anything, more repugnant to any sense of political rectitude and all ideas of common intellectual honesty when that same individual has, not long before his appointment to the Council, openly and warmly espoused the very convictions and sentiments he now consents to flout with an easy conscience, a cynical disregard of the merits of the question. Such a course will only end in discrediting the reform and disappointing the high expectations to which it has given rise. We do not fail to realise that every member of a Government must feel one of a body and should be loyal to the Cabinet to which he belongs. While this, however, is comparatively easy for the Indian member, it is far more difficult for him to realise that he is primarily there as an unofficial element in an official Council, as a liberalising and representative Indian factor in an administration which is at once bureaucratic, foreign, and self-willed. His position is not precisely identical with that of his colleagues, who, when they left their universities, started life as officials in a

foreign country and have remained so ever since. In order that the Indian member may rise to this conception of his duty and be a live force in the administration, the authorities responsible for his selection directly and indirectly must see that their patronage lights upon men of intellectual courage as well as of intellectual capacity. At the same time the head of the administration should not feel that he has to be at too much pains to appreciate the point of view of the Indian member.

To sum up, the Executive Government of every province must have three co-ordinating factors in it: firstly, the correcting influence of untainted British liberalism (not in the party sense of the word, but in its larger acceptation); secondly, the contribution of the genuine Indian view in the handling and disposal of administrative problems; and thirdly, the official attitude of the Civil Service. Towards such a type of administration every province should tend, and, unless extraordinary difficulties should prevent such a policy, provincial boundaries must be so changed as to facilitate the formation of such administrative charges.

In any case, Lieutenant-Governorships, if financial reasons forbid their being converted into Governorships, should be placed outside the purview of the Civil Service and be offered to men of note and capacity irrespective of party considerations, and, unless altogether impossible, of racial considerations as well. No member of the Supreme Executive Council should be eligible to occupy any office in British India during or after the completion of his term in the Council. This rule may be relaxed, under extraordinary circumstances, in the case of members of

provincial executive councils, but must otherwise hold good as a recognised disability. No member of an Executive Council will then discharge his duties with an eye to future preferment, or utilise his position as a mere stepping-stone to other offices.

SECTION II

Nationalism and Communal Homogeneity

In recent years there have been observable two distinct tendencies in regard to provincial charges which call for mention as having a rather intimate bearing on the proposals contained in this chapter. Ever since the unwieldy character of the province of Bengal, Behar, and Orissa, as it then was, attracted the attention of the Government of Lord Curzon, there has been a perceptible desire to examine the constitution of provincial areas from the communal point of view. The prolonged agitation and wide-spread discontent which the partition of Bengal created gave a powerful impulse to the recognition of ideas of communal homogeneity in the formation of provinces. That this should have been the case at a time when sentiments of Indian nationalism were in the ascendant may not only seem strange, but may tend to throw an apparently legitimate doubt on the reality of those sentiments. It may also be concluded in some quarters that this contradiction is easily explicable, the partition troubles being mainly the outcome of a spirit of racial antipathy to the exclusive domination of the British element, and the communal spirit disclosing an abiding tendency in Indian character towards disintegration. It is needless to enter into theoretical assumptions as

to the conflicting nature of the nationalist aspirations on the one hand, and the tendency to separation on the basis of communal homogeneity on the other. Nor is it necessary in this connection to analyse the notions underlying what has been termed Indian nationalism. Ideas of racial homogeneity and recognition of racial interests are not incompatible with ideas of communal homogeneity and recognition of communal interests. In fact, on the social side, the genius of Hindu sociology has been to reconcile and co-ordinate the two spirits. When the former is stimulated the latter is also stimulated. It is a process of consolidation throughout the area of the new impulse. There cannot be an impetus to race-consciousness without an awakening of sentiments of communal consciousness as well. It is not that these sentiments signify a separatist tendency, but merely that they point to a transmission of the self-same message from the central dynamic force to the area controlled by it. We are therefore in no way inclined to consider that the demand for the recognition of communal homogeneity as the underlying principle in the constitution of provinces is either a separatist movement or the beginning of a process of disintegration. It is, to refer for a moment to the diversity of climate and the geographical, linguistic, and social conditions of the great continent of India, a perfectly natural tendency which will have to be recognised in the fulness of administrative maturity. But until that time arrives the form of provincial government must remain such as will facilitate and develop popular control and local devolution; once the former is no longer a tentative or experimental ideal, but an assured fact in adminis-

tration, and the latter an accomplished and every-day experience, the type of provincial government will have to be changed to suit the altered conditions. Then will provincial charges correspond to communal homogeneity, and the life of the community be quickened into greater activity. To believe that that period has arrived now, and to press for the splitting up of any province into smaller units, will be to commit a culpable mistake and to make a thoroughly reactionary demand. For instance, there can be no question but that the Presidency of Madras may well be split up into five definite well-marked provincial charges, that Orissa may advantageously be separated from Behar, that Sind may be constituted into an administrative charge by itself, and that even homogeneous Bengal may be divided into an Eastern and Western Province. The Presidency of Madras falls into five groups by its natural geographical and communal characteristics: firstly, the districts of the Northern Circars and Nellore; secondly, the Ceded Districts, to which may be appropriately added the district of Dharwar in the Bombay Presidency; thirdly, the Baramahal districts of Salem, Coimbatore, and Nilgiris, to which North Arcot may be annexed; fourthly, the South-western Ghats group of Malabar, Canara, and Coorg (including North and South Canara); and fifthly, the Tamil districts of Tinnevelly, Madura, Trichinopoly, Tanjore, South Arcot, and Chinglepet, which mainly comprise the ancient Pandya and Chola kingdoms. A similar division of the other provinces of India will make for greater efficiency and communal progress. But to advocate such a policy will be to plead for a process of political asphyxia; to countenance such a change

now will be to permit an irretrievable set-back. The effect of such a change will be a greater ascendancy in civilian domination and a marked decline in the power of public opinion. Authority must devolve on popular bodies to a much greater extent before such a change can prove beneficial. Another lamentable effect of such a departure from the present state of things will be the premature arrest of that influence which one section of the community is now enabled to exercise upon another because the administrative machinery is the common possession of all of them. It will also diminish the momentum which popular progress can now command, while at the same time the form of government will have to be of an inferior order, and thus less capable of promoting popular control and local devolution. The inconveniences and disabilities arising from the present arrangement may, however, be obviated and overcome to a considerable extent by communal efforts in other directions. For instance, a new University movement may do much to strengthen the communal basis of the main groups of each of the presidencies. What the Dacca University is expected to do in the direction of focussing the intelligence and developing the moral and intellectual resources of East Bengal, separate universities for the Andra or Telugu districts, the Kerala and Kanara districts, and the Tamil districts can also be well depended upon to do. Public conferences in these groups, and standing committees for promoting their interests in the field of provincial legislation, can be of immense value in filling the gap left by want of separate administrations. These standing committees, if properly formed and worked, may in course of time

come to possess a recognised and semi-official status and exercise not a little influence for permanent good; and it is impossible to estimate their ultimate development if they merit the confidence of the Government and win the approbation of the people.

It is in these directions that popular efforts should be made to mitigate the drawbacks of large provincial charges, and at the same time to retain the benefits accruing from a higher form of administration, without which it will be impossible to bring about a relaxation of the stifling grasp of officialism. To forgo these benefits and to split up provincial charges into smaller and inferior units will be to lay the axe at the root of administrative progress through a disastrous zeal for the recognition of the principle of communal and linguistic homogeneity in the formation of provinces. There is assuredly too much political sanity in the country to allow such zeal to obtain any appreciable measure of public support.

SECTION III

Provincial Legislatures

The Provincial Legislative Councils have a non-official majority at present, but not in all cases a majority of elected members. The majority in either case is a small one, since the underlying idea in the constitution of these councils has been that the Government should be able to secure, as far as possible, a majority of votes. Lord Morley himself described the chances of a successful non-official combination in the Provincial Councils as inconsiderable, and sought to secure the acceptance of this part of the Reform Scheme on the ground that,

should there be, notwithstanding, a non-official combination, it only showed the need for the Local Government to reconsider the position. The constitution of the Council and of the electorates has proceeded upon the basis of official members voting at the meetings of the councils and upon a split in the non-official votes as well. If, however, as has been urged in regard to the Imperial Legislative Council, the voting should be confined to the non-official section, the number of elected members will be determined by the needs of efficient representation, and there will be as a matter of course a majority of elected members.

The method of election to each Provincial Council will have to be determined by the circumstances peculiar to each province, but certain broad lines may be common to all, and must rest upon definite and intelligible principles. A system of institutional representation pure and simple in the main will be by far the preferable method until the time is ripe for direct representation. It would be better to go back to the older method of making the *institution* a unit, as it was from 1892 to 1909 under Lord Cross's Act, instead of making a member of an institution a unit as at present. A Municipality is an institution; Municipal administration is an interest, but a member of a Municipal Council is no more than an individual, and there is no reason why he or a member of a District Board, as such, any more than another should be singled out to exercise the franchise. On the other hand, a Municipal Board is a *corporation*, and the interests of a number of corporations may be rightly deemed worthy of being represented in the Provincial Council. This is not

a matter of mere verbal differentiation without an underlying distinction in fact. Under the present scheme, a candidate backed by a larger number of Municipal members and a fewer number of councils may defeat another supported by a larger number of Municipal Boards, but by fewer Municipal members than the former. One who is backed solidly by a few big Municipal Boards will get the better of another with the support of a larger number of smaller boards. The evil is aggravated by including the members of District Boards in the voting group. As a matter of fact, each member, be he a member of a District Board or of a Municipal Council, becomes at present a unit in the *entire voting group*, and acquires a preponderance of value to which he is not entitled as a member of only one board. In other words, he acquires a value *outside* his board, beyond his legitimate sphere of representation. He is entitled to influence the vote of the corporation of which he is a member, and which represents a certain interest; but he is now permitted over and above this to influence the vote of the *whole* group, in which a Municipal Council and not he himself is a unit, and therefore acquires an independent, rather an "extra-legitimate" value. Nor is there any reason why the members of Taluq Boards should be ignored, and the franchise confined to the members of District Boards only. On the whole, the present system is neither a system of direct representation nor a system of institutional representation. It only imparts a fictitious and artificial importance to members of Municipal and District Boards, apart from the Boards themselves, and leaves the Taluq Boards out of account altogether.

A better method by far will be to give a representative to the Municipal Boards of every two contiguous districts, and another to the Taluq Boards within the same area. Generally, two contiguous districts, or three in special cases, where the districts may be small, may form an electoral area, and the Municipal and Taluq Boards in each such area may respectively return a representative. The member for the Taluq Boards will represent rural and landed interests, while the member for the municipalities will represent urban and trade interests. Representing two districts, he will be better able to compare notes; and the area he will have to represent will be benefited thereby, while it will not be too large for a man of brisk business habits and leisure for public work. Such a system is, in fact, better even than giving each district a single representative of the Taluq and Municipal Boards comprised in it. It is more important at this stage of our progress that urban and rural interests should each have a separate and qualified representative than that each district should have a representative for itself without securing such special representation. As a practical outcome of the proposed scheme, however, the representative of the Municipal Boards will generally belong to one district, and the representative of the Taluq Boards will be from the other district of the electoral group; so that while each district will usually have a representative, rural and urban interests will be unfailingly and methodically represented by a system of faultless institutional representation.

Besides the representatives of Municipal and Taluq Boards in each province, there will be the representatives of Zemindars, the great Ryotwari

land-holders, Chambers of Commerce, the Trades Associations, the Indian Banking and Commercial interests, the University, the large body of non-official Teachers of Schools and Professors of Colleges, the planting community, and the Corporation of the Provincial Capital. The representation of minorities, either on nomination by Government or on election by the members of the community, will also be a source of contribution to the Council. The main object will be the representation of Rural, Urban, and other special interests of each province *by a system of Institutional Representation.*

The merit of the foregoing scheme will very largely depend upon the constitution of the Municipal and Taluq Boards and the vitality they possess as self-governing administrative bodies. If the latter should continue to be mere apologies for independent bodies, and the former should have too liberal and debilitating a supply of nominated members, such as they have in many cases at present, their representatives must inevitably be men who will reflect the attitude of the institutions which return them to the Councils. There is absolutely no justification for the present moribund constitution of the Taluq Boards. In every Taluq an electoral group must be formed of men who pay a certain amount of land revenue, provision being made for the representation of most of the villages; and the elected members must in all cases be the majority of the Board. Not only should the constitution of these bodies be liberalised, but they should be entrusted with limited powers without the obligation of obtaining the sanction of the Collector, and in all cases there should be a right of appeal by the Taluq Board to the Board of Revenue or the

Commissioner of the Division as the case may be. In no Board or Council should the official members be permitted to vote. Except in some special cases, the President of the Taluq Board as well as the Chairman of the Municipal Council should be non-officials. The majority of the members of the District Boards should be elected by the Taluq Boards, and the President or Vice-President of the District Board should invariably be non-official. It is unnecessary, however, that the District Board should have the power of voting in Legislative Council elections, since the unit for rural representation will be the Taluq Board.

As regards the powers of the provincial legislatures, if a resolution passed by a majority of the non-official section should be approved by the Local Government, it should not be open to the Government of India to override the recommendation, although it may be provided that on a representation by the Government of India it may be open to modification by the Secretary of State. Nor should it be open to the Secretary of State to seek to modify it except on the initiative of the Government of India. If a resolution passed by special majority of the Council be rejected by the Local Government, the latter should submit the matter to the decision of the Government of India, which will be final. If a legislative bill introduced by the Local Government should be rejected by a special majority, it should become law only as an ordinance of the Secretary of State, on the recommendation of the Government of India, just as in the case of a bill rejected by a special majority of the Imperial Legislative Council. In both cases there should be an ordinance of the

Secretary of State only when a bill introduced in either the Imperial or Provincial Council and rejected by a special majority of non-official members, is considered essential by the Local or Supreme Government and the Secretary of State.

SECTION IV

Double Seats of Government

There is one feature of Indian administration common to the Supreme and Provincial Governments to which we are, with no little reluctance, constrained to refer. Although in itself it may appear of no great importance, it has nevertheless assumed the character of an incorrigible administrative evil, and its correction can be hoped for only by adequate exposure of what has become a settled vice of Indian Government.[1] It has imparted to the authorities at the head of affairs in India the character of a class oblivious to every consideration of public interest and even of administrative decency, because of its stubborn adherence to a custom which an uncommon standard of personal comfort in the discharge of public duties has established in India alone amongst all countries. There are public functionaries and administrative heads in all lands, but not one of them

[1] Mr. Lovat Fraser, formerly editor of the *Times of India*, in his book, *India under Lord Curzon and After*, says as regards the system of exodus: "Not a single administrator in India will ever touch it. From the youngest civilian and the most newly-arrived governor to the retiring member in Council, all unite solidly in defence of the migration to the hills. It is extraordinary what an amount of heat can be generated in India at short notice by attacking the practice of spending many months of the year at hill stations. Eminent civilians will listen unmoved to the strongest criticism of any feature of their administration; say a word against hill stations, and in a moment their hair bristles and they are banging the table with their fists."

would be tolerated for a day if their pretensions to personal superiority on account of their office should make them consider themselves a race of demigods upon earth. It may be best for the British public to imagine what they would do if the British Cabinet should decide to quit the dismal atmosphere of London for over six months in the year and carry on the government of the realm from a place climatically more agreeable. If they should propose to carry portions of permanent offices with them as well, and an adequate clerical and menial staff, we can conceive the scorn on the face of John Bull. If, in addition, they should propose to hold sittings of the House of Commons in their fine-weather resort, where not even a daily paper, nay, not even a weekly journal may be published; far from the proximity of all intellectual and political influences, far from the seats of great banking concerns and centres of commercial activity; in a place particularly difficult of access, where accommodation is the privilege of the uppermost section of the upper few; where all articles are dear on account of the cost of conveyance, and where the climate will suit the Cabinet ministers and them alone—imagination boggles at the consequences of the suggestion. Yet this is precisely what has been going on as a *sine qua non* of British administration in India. The isolation of the governing body from public influences and impulses for the better part of the year is an even greater evil in India than it would be under the conditions of the United Kingdom; because, wherever the British ministers may carry on their work, and wherever a session of Parliament may be held, they will be answerable to the representatives of the people. In India

there is no such responsibility; and the isolation of the governing body from the provincial capital for a continuous period, systematically, year after year, perfects its character as a bureaucracy that acknowledges no responsibility to the governed. The cost of mere transport of men and records is no inconsiderable item when spread over a large number of years; and to this have to be added the hill allowances given to the subordinate staff of the Secretariat. The total cost does not, however, end here. Large sums have been spent in fitting up inaccessible hill-tops as summer capitals; official and residential quarters have been built and improved from time to time at considerable expense, and have to be kept in good repair year after year. The provincial grants to these hill municipalities have to be ungrudgingly liberal in order to provide the conveniences indispensable in a capital city. All this means that the legitimate capitals of the provinces have to forgo that financial sustenance which might have improved their condition in scores of ways. Every administration has improvised a summer capital on a cloud-capped hill, where the major and minor satraps may roam without tiring, hunt in pairs and parties, give stream-side picnics, dine and dance, and again be fit for the morning meet. The demigods of Anglo-India desert the plains at the first breath of summer, not simply because of the heat of the plains, but because they are impelled by the overpowering fascinations of life on the Hills. It has consequently become an axiom of Indian government that no administration should be without a plain and a hill capital, as though British rule would otherwise melt in the heat of the

plains and cease to be. If no such mountain retreat can be had for love, money, or authority, at least a thinly-populated tableland of even and moderate temperature must be found. As soon as Behar became a separate province, the Lieutenant-Governor, who had weathered many a hot season as an official below the rank of a Lieutenant-Governor, set out in search of a hill capital with all the knight-errantry of the Indian bureaucracy. Failing to find one, he lighted upon Ranchi, the plateau of Chota Nagpur, which he equipped as his summer capital at considerable expense, although the municipal condition of the provincial capital (Patna) was a disgrace to any civilised community, more particularly to the headquarters of a Lieutenant-Governor. In mentioning this we attribute to him no peculiar want of responsibility; it only shows what an inordinately strong hold the system has taken, and how little likelihood there is of its being shaken off on the initiative of the Government of India. The significance of the system of exodus is that it is only when an official becomes a Lieutenant-Governor, a member of Council, or one of the Secretaries to Government, that the plains become too hot for him to bear. Judges of the High Court who have to sit for six hours a day hearing intricate questions of law and fact, and to write judgments at home, are content with a summer recess of about ten weeks in the year. Heads of Departments, members of the Board of Revenue, working directors and agents of railway companies and of commercial firms carrying on business of no little magnitude, defend themselves from the heat of the plains as well as they can with the modern aids available. The entire executive officialdom in the

interior, including the Civil Service, has to cope with the weather and work in most cases without even the comforts of electric fans and a sufficient supply of ice. British prestige has not, as a result, been scorched up by the heat, administrative efficiency has not withered out of recognition, nor has any calamity rendered the administration of the country a matter of extraordinary difficulty. But then such persons are all only ordinary mortals compared with those who form the Government. Nothing has emphasised the alien character of those who are authorised to act in the name of British rule in India more than this unblushing stampede as soon as it becomes hot, away to giddy heights far from the post of duty, in delirious and impatient expectation of the joys of the Hills.[1] Plague and cholera, famine and scarcity, may be as bad as they please in the provinces, nay, in the provincial capitals themselves. A war may break out, destined to alter the map of Europe and affecting the very foundations of every part of the British Empire, and nations may be locked in a death combat, but the Indian Governments must have the power to remain like gods on elevated habitations of their own choice, looking down with indifference upon the floating clouds that may or may not carry rain

[1] To quote from Mr. Lovat Fraser's book again: "I have never met any man, Englishman or Indian, outside the services, who did not declare that the hill stations were largely to blame for the growing detachment of the British from the people of India.

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"As things are, the high officials swoop down on the various capitals for a brief period in the cold weather, live in their carpet bags, are reluctantly dragged into a whirl of rather dull dinners and dances and receptions, and then vanish again, breathless and exhausted, but happy in the vain notion that they have been really 'in touch with the people.' . . . The enlarged Councils are certainly supplying a valuable corrective; but we shall never get 'into touch' in India to the extent we ought to do until the hill stations are abandoned to the invalids, the ladies and babies."

to the world under them which only lowly millions inhabit. In one case, even the cannonade of their capital city by a German cruiser availed not to alter the customary summer sojourn of the Government of the province, at the very tail-end of the period. The Government of Madras left as usual for the hill-station of Ootacamund in the last week of April, and did not think of departing a hair's-breadth from its time-honoured privilege of staying on the Hills till the commencement of the cold weather, although the war had broken out between Germany and the Allies. Towards the end of September the German cruiser *Emden*, which had sunk a number of merchant vessels in the Bay of Bengal and had established a reign of terror throughout the bay to the knowledge of all the authorities in India, bombarded Madras with all its guns, causing some loss of life, no little damage to property, and a good deal of alarm, shown by the departure of large numbers of people from the city. For many a day following, there was no kind of certainty that Madras had seen the last of the exploits of the plucky and powerful *Emden*. Yet the Governor of Madras did not condescend to break his half-yearly recess on the blue hills for more than "a few days," leaving "the Government" behind him, to visit the capital, which was in so anxious and troubled a state. In spite of the feeling of insecurity which was preying upon the populace, in spite of the fact that thousands of people had left the city in order to be out of danger, it was admitted on all hands, to the credit of the town, that there was little or no panic. The Governor himself bore testimony to this fact at a public meeting which he addressed during his flying visit on that occasion.

"I rejoice," he said, "to think that it is not only the case, but that it is recognised outside Madras to be the case, that the people of Madras city have, on the whole, conducted themselves throughout in regard to this incident in an entirely worthy, reasonable, and patriotic manner, avoiding all panic, and relying with confidence in the arrangements made for their protection." What bitterly contrasted with the conduct of the town, and intensified the feeling of insecurity and alarm every night so long as the *Emden* was at large, was the demeanour of the Government in remaining with their backs to their capital, far away from the coast and high up from the plains. In hastening his departure from Madras, the Governor delivered himself of an apologetic sentiment which amounted to no more than a weak-kneed tribute to the system of exodus which a selfish bureaucracy has designed in utter disregard of public interest and in scrupulous obedience to the dictates of its own extravagant standard of personal convenience. Lord Pentland would have been too obtuse if he did not smile at his own ingenious statement, which ran as follows: "It has been a satisfaction to me to have been here during the last few days and to have inspected traces of our foreign visitor, and also to have been able to do what I could to express sympathy with those who have been injured. I have to return to Ootacamund this week, and in about two weeks from now I proceed on tour to the south of the presidency. In two weeks' time, however, the Government will return to Madras, and you may rest assured that everything will be done to watch over the affairs of this city and all other parts of the presidency."

When one understands that the time the Governor appointed for the return of his Government to Madras allowed the full lapse of the orthodox period of the summer residence of the Council and the Secretariat on the Ooty hills, one can realise what an illuminating comment that simple passage is on the sense of duty of the bureaucracy in India; it is also an exposition of its loyalty to the cause of Great Britain and the Empire.[1]

The evils of this system of exodus will be worse in the future than they have been hitherto, because of the altered conditions since the Reform Scheme came into existence. If up to the present it has been only a culpable waste of money and a reprehensible withdrawal of the governing body from its post of duty, its continuance after the expansion of the Legislative Councils will be not simply a mark of callous indifference to public demands, but a veritable administrative scandal, productive of acute conflict between the forces of public interest and a personal gratification. To hold the meetings of any Legislative Council at a summer retreat, or to put them off until the Government moves to the plains as the weather becomes propitious, and to get through a crowded programme of business at breakneck speed before the commencement of the Budget Session, as has now become the practice, will be to cripple the

[1] During the Budget Session of 1915 notice was given of a resolution that the cost of the exodus be removed from the Estimates. The *Hindu*, the leading Indian daily of Madras, expected that, at least under the conditions prevailing on account of the war, it would merit the acceptance of Lord Pentland's Government. But disillusionment came when Lord Pentland prevailed upon the Hon. Member to withdraw the resolution, although it was open to his lordship, as President of the Council, to disallow it, taking the responsibility of such a step upon himself. Subsequently two resolutions to the same effect were disallowed since obviously their withdrawal could not be compassed. One can easily realise after this experience all that may be possible when the system of exodus is at stake.

effect of the Reform Scheme in important respects. The work of all the Councils has multiplied; more interpellations are addressed year after year; more resolutions are moved inviting a closer compliance with the growing needs of the community, and throwing work of a higher standard and more arduous nature on the official agencies; the Budget debates are becoming more critical and prolonged; private bills are becoming a feature of the Provincial and the Supreme Governments, forcing upon them the responsibility of a well-informed and judicious attitude in regard to all; and necessary Government measures for the redress of long-standing grievances have been left in abeyance. To continue the exodus under these circumstances, when public expenditure is mounting up by leaps and bounds, is to betray a lamentable incapacity to learn. To open the season year after year at Simla, Darjeeling, Nainital, Ranchi, Mahabaleshwar, and Ootacamund, as though India stands to-day where Lord Dufferin left it, is to be like the Bourbons of France, and to remain unchanged when everything else has changed. Such insistence upon an extravagant standard of personal comfort at public expense in the discharge of public duties ought to be definitely abandoned now as a practice altogether indefensible for the future. The Anglo-Indian press has condemned it as strongly as the Indian press;[1] commercial interests have un-

[1] So late as April 1881 the *Statesman* of Calcutta commented on the system of exodus as follows:

"It is an utter delusion—if indeed anyone in these days cherishes it—to imagine that it is for the benefit of the country that the Government goes up to Simla or comes down to Calcutta. It goes to Simla to get out of the heat, and it comes to Calcutta to escape the cold, and the country has the privilege of paying the expenses. The high officials of the Government are thus able to spend their lives comfortably, and to get rid of all troublesome bonds of sympathy between themselves and the people of the country.

reservedly complained about it;[1] the people who are in and outside Government service, other than those who enjoy the benefit of the arrangement, to whom the accessibility of men at the head of the Administration is a matter of moment, have missed no opportunity of inveighing against a system which combines the vices of Eastern Nabobism with the Western passion for pleasure and with British punctiliousness. Yet there is no sign of a change. The Secretary of State apparently feels the delicacy of interfering in the matter of the personal comfort of his Indian agents; British public opinion has never

From their lives the hardships of a toilsome existence in India have been successfully eliminated, and as they still have work enough to do to banish ennui, they may be regarded as the most comfortable of mundane creatures. As, moreover, the state pays them liberally in consideration of those very hardships, which they have so successfully dodged, they may also be regarded as the luckiest of mortals. But as to governing India—the idea that they govern India is richly absurd. India is governed in spite of them by the men who spend their toilsome years on the parched or streaming plains. That which we call the Government of India, and which is about to spread its wide wings, spangled with silver and gold, and fly away to the mountains is a costly simulacrum. To it we owe wars, taxes and codifications; and such governing as the country gets goes on somehow in spite of it."

The *Madras Mail*, one of the leading Anglo-Indian dailies, protested about the same time that "To a rich man like Lord Ripon it should be easy to do something more than discuss anew the old question of Hill allowances. Let him decide that it is to the interest of the country and of its public service, that the salaries of officials doing duty on the hills should be reduced by 25 per cent; and the Secretary of State would not be reluctant to sanction this simple act of justice to long-suffering India. Until some such penalty is imposed, the annual Exodus of the Government will justify the annual remonstrance of the public."

The *Madras Times* only very recently characterised the system "as a scandal of administration that none but Indian administration could breed."

[1] The late Hon. Mr. R. G. Orr, a much-respected member of the European mercantile community of Madras, moved a resolution on November 29, 1910, to the effect that "in the opinion of this Council it is undesirable that the seat of Government should be moved to Ootacamund for any portion of the year, and that should it be desirable that the heads of Government spend some portion of the year on the Hills that period should not exceed three months." This motion was seconded by the Hon. Mr. T. V. Seshagiri Iyer, who is now a Judge of the High Court of Madras, and was supported by Mr. (now Sir) Hugh Fraser, Chairman of the Chamber of Commerce and Sheriff

seriously troubled itself with any Indian anomaly: as a result the belief which has been strengthened by so many other factors has received additional proof in the system of exodus, namely, that public requirements in India can scarcely make way against the vested interests of Indian potentates or against British indifference to Indian interests.

The changes we would advocate are:

(1) That the system of exodus involving the recognition of a summer capital should be given up in favour of a system of hot-weather recess, which ought not to involve the absence of the heads of the Government from provincial capitals for more than three months in the year, from the beginning of May to the end of July. This recess should be allowed because heads of Governments under the schemes suggested will be Englishmen unaccustomed to the Indian climate; its duration will, however, cause them to labour under a necessary and wholesome disability in regard to proceeding on leave to Europe during their term of office.

(2) That even during this period the party of migration should include only the head of the Govern-

of Madras. In spite of this consensus of opinion, the motion was opposed by the Executive and defeated—a fact significant of the weight and reality of the non-official majority in the reformed Councils under Lord Morley's scheme.

The *Englishman* of Calcutta only the other day observed: "Madras is feeling the absurdity and inconvenience of hill-station Government in a time like the present. The Chamber of Commerce has taken objection to the delay to messages regarding the safety of the sea routes caused by their being sent first to Ootacamund and then to the Port Office. It is perfectly scandalous that needless delays should be allowed in such important messages."

At the time of King Edward's death, when the Government of Madras were at Ooty, the official announcement to the heads of District Administrations had to be made long after the people had come to know of the event. The entire European and Indian official community were wondering why there was no authoritative confirmation of it, or what procedure under the circumstances they were expected to follow.

ment with his personal staff, and not the Secretariat and the members of the Executive Council.

(3) If business should require a meeting of the Executive Council during these three months the head of the Government could come down to the seat of Government, and no Secretariat, Imperial or Provincial, should be liable to be temporarily transferred from the capital city.

(4) August and September should generally be set apart for tours by the heads of Provincial Governments. From October to December one session of the Legislative Councils, Supreme and Provincial, should be held, and the other session from the first week of January to the end of April.

Apart from objections on personal grounds to the foregoing scheme, the most serious that may be advanced is that the meetings of Executive Councils may require the presence of the members of the Council, and therefore the Secretariat and the Council and the head of the Government should keep together. This is more or less a fanciful plea, since at present the subjects under discussion by Council are dealt with by circulation of papers when the Governor or Lieutenant-Governor has necessarily to be absent on tour from his Executive Council. The Council and the Secretariat do not accompany him, but provision is made for the transaction of urgent business. The fact that there will be no society unless the exodus includes a larger number is the greatest factor in the retreat on the present scale, involving for more than half the year the removal of cart-loads of records and the migration of an army of assistants, clerks, and peons to a climate to which they are neither accustomed nor have the necessary means and adapt-

ability to accustom themselves, in spite of the allowances they get. In most cases they are forced to leave their families behind. These consequences, the waste of public funds which they entail, the galling inconvenience they cause to the section of the public who may need to come in contact with the members of the Government and the Secretariat, and, above all, the practical segregation of the Government from the centres of public life and from all those incidents and events which affect the general population, are of no account in the estimation of the pillars of the bureaucracy. Their main concern all along has been to hasten their departure at the first advent of summer to a place a few thousand feet above sea-level, where it will be always afternoon, where society will not jar upon freedom, and where they may have to turn to work as a relaxation from pleasure. If these are not considerations which would guide responsible authorities in England, then we do not see why the exodus should not be altered to the recess suggested above.

The removal of the capital of the Government of India from Calcutta to Delhi has been dictated, no doubt, by considerations of paramount imperial importance. But this ought not to lead to Simla's becoming the virtual capital in consequence of the system of exodus. From Madras to Delhi is distant enough in all conscience, but the summons to the snowy heights of Simla is not only unwelcome but a real abuse of executive power. To Delhi the remoter parts of the Empire must reconcile themselves by virtue of its being the imperial capital *de jure*, but the distance of Delhi ought in all justice to secure the members of the Imperial Legislative Council from

pilgrimage to a still more distant and much more inclement capital *de facto*. For May, June, and July Simla may be the residence of the Governor-General and the members of his Executive Council; but the Imperial Secretariat as an office only should remain in Delhi. The Secretariat should be as incapable of being removed as are the permanent offices in London because of the holiday tours and week-end trips of Cabinet ministers. What is urged here is that there should be no recognition of a second capital as such, to which Government offices would be liable to be shifted for any part of the year, as regards either the Government of India or a Provincial Government. The period of absence from the plains ought not to exceed five months in the case of the Governor-General and his personal staff. Now that Simla and Delhi have the facility of telephonic connection, there is no reason whatever why the Imperial Secretariat should not be permanently located at Delhi. If the disclosures contained in the Mesopotamia Report, the debates that followed its presentation in the House of Commons, and the unanimous verdict of all sections of the Press, British and Indian, do not give the *coup de grâce* to the system of exodus, the British Cabinet will have to be ranked with the Bourbons of France and the Civil Service of India, who could learn nothing new and forget nothing old.

CHAPTER IX

THE JUDICATURE

SECTION I

The Question of Control

No Government, and more particularly no foreign Government, can afford to look upon the machinery it devises for the administration of justice without the deepest concern. Where nine other factors necessary for the esteem and popularity of a Government among the governed may fail, its safety may be assured notwithstanding its defects if its administration of justice maintain the respect and confidence of the people. Political education, social efficiency, capacity for union, sacrifice, and organisation are all indispensable before an unsatisfactory Government can be displaced or reformed by the people under its control. If justice between man and man, or between the rights of the subject and the actions of those who exercise authority over the people, cannot be honestly and independently meted out, then without any of these factors the power of the governed will sooner or later assert itself against the ruling element. An Indian moralist who was also a ruler as great in his own country as Marcus Aurelius, uttered the highest political truth

when he said that the tear which injustice draws from a man will prove more formidable than all the battalions of the gods. The invisible, but none the less the real, support of the thrones of kings and of the seats of the mighty is the justice administered under their ægis. Let the support be impaired, let it be strained and allowed to fall into contempt, and those thrones and seats will assuredly sink from before the sight of men. Those who speak lightly or in a tone of impatience and intolerance against judicial institutions do an amount of disservice to the authority of the Government of which they possibly are not aware. It is easy to speak discouragingly of judicial interference with the Executive, but in all sober truth such interference is no more than that of the physician with the afflicted patient. They might as well follow the advice of Kent and "kill the physician and the fee bestow upon the foul disease." There are some in India who know not when and how to be discreet and decorous, and have not disguised the feeling that in their estimation the High Court is a vexatious body of grandmothers. There are again others who labour under the strange hallucination that if the police, the arm of the law, is rendered more honest and less liable to corruption, it will become less strong and less efficient. Others there are whose article of administrative faith is that, if judicial functions are entrusted to those who are free from executive responsibilities, a great political cataclysm is sure to be the consequence of the change. British justice in India has to be liberated from the tyranny of these notions and allowed to exert its benevolent influence as the greatest power for good that any Government can command. The problem of the

reform of the judicial administration lies here, and we shall elucidate these aspects as briefly as possible.

It is no political flattery to affirm that no institution since the establishment of British power in India has done more to promote confidence in British rule than the High Court. It has come to be recognised as the very palladium of British authority in this country. Its judges, with exceptions few and far between, have upheld the sanctity of human justice, and have looked upon their responsibility as the highest commission that can be entrusted to them by their fellow-men. The confidence of the public in the High Court is so great that the general impression is that the same individual as a judge of a controlling court of inferior status would fail to rise to the level of independence he would reach as a judge of the High Court. Nor is the feeling entirely absent that an inferior court would be liable to be tampered with if it wanted to maintain an attitude of thorough independence of the Executive. Both by prestige and constitution the High Court enjoys a measure of confidence no other court can claim. It is therefore in the best interest of British rule that every province should be under the jurisdiction of a chartered High Court, and that its dignity should be enhanced in all necessary directions. It has been most wisely decided that Behar and Orissa shall have a High Court of their own, without being subject to the anomalous form of double government which their subjection to the High Court of another province cannot but involve. The Punjab has been unreasonably condemned to the control of a Chief Court, and there is every reason for the people of that province to be profoundly dissatisfied with a state

of things that does not place them on the same basis as the other provinces. To place the Punjab judicially under a High Court and administratively under a council form of Government presided over by a Governor or a Lieutenant-Governor sent out from England, will not only ensure a greater measure of satisfaction and attachment but will unquestionably add to the efficiency of the general administration. It is a serious political blunder to believe that anything that cannot inspire popular confidence can really be efficient. The test of efficiency of the right kind, which is not the outcome of a spirit of self-sufficiency, but the result of an anxious desire to fathom the mind of the governed and of an attitude of sympathetic wakefulness, not of supercilious bias, lies in the devotion of the classes and the masses alike to the Government of the country and in their contentment under it. From this point of view the policy of the Government of India in regard to the administration of the Punjab has left a good deal lacking. The constitution of a separate North-Western Province, however unobjectionable from an exclusively military point of view, is yet a reactionary scheme which has far exceeded the actual requirements of the situation. To constitute it a division of the Presidency of the Punjab, placing it under a Commissioner, as well as to incorporate Sind with the new Presidency and to place the entire province under a Chartered High Court, will infuse new life into the people of that part of the country and open out to them a fresh vista of civic responsibility. Such a change cannot but inaugurate a future full of hope; which in many respects will lead to a vast improvement on the present state of sectional bicker-

ings and communal animosities. Detached from a considerable portion of its area on the north-west, separated from its natural coast outlet in the south, placed under the domination of a civilian Lieutenant-Governor, and left to the jurisdiction of a Chief Court, it is no wonder that the Punjab, left without a vivifying impulse and without a cohesive and soundly developed individuality, has been unhappy and distracted. Denied its full scope of activity, mutilated in its formation, deprived of that steadiness which a higher type of judicial and executive administration induces, the Punjab cannot be blamed for seeming to be restless and dissatisfied. Its possibilities have been perverted, its temper has been soured, and its sense of self-respect disregarded. It is condemned to the unenviable pre-eminence of being to-day the only major province which has not a High Court, although it contains within its area the imperial capital of the Indian Empire. To restore to it its natural area and to place it on a footing of equality with the other provinces in the matter of administration will be an act of statesmanship pregnant with the happiest results both for the people of the province and for the prestige of British rule, as well as for the development of British trade. Nor can one belittle the advantages of an administration, with a Governor in Council at the head, extending over the natural area of the Punjab and in immediate contact with the Frontier, which is certain to impress the people on either side of the Frontier as an example of what British rule can accomplish in combining the elements of stability and progress. As regards Burma, a High Court may not be deemed an immediate necessity, but there should be no reservation

in regard to its establishment when financially and otherwise the province is ripe for this development. What we urge is that it should be a recognised and declared policy of British rule in India that the judiciary of every province is to be under a High Court, unless financial reasons do not permit it, or the province in question be exceedingly small or other conditions render it incapable of being merged in a bigger charge.

SECTION II

Provincial Executive, and Judiciary

As regards the relation of the Local Government to the High Court it is necessary to recognise at the very outset that however favourably Indian public opinion may be disposed to this solution, it is impossible to bring about a total severance of contact between the High Court and the Local Government. While a good deal of the judicial administration of every province would have to be vested in the High Court, it will not be possible to avoid a Local Government's exercising a certain amount of supervision over the work of the High Court and that performed by the courts subordinate to it. While on the one hand, therefore, the independence of the High Court and the standing of its judges in the exercise of their judicial authority, should not be subject to interference by any of the powers vested in the Local Government, it is indispensable, on the other hand, that the body responsible for the government of the province should exercise a certain general control as regards the administration of justice. A distinction should therefore be drawn between the strictly

administrative side of the work of the High Court and its independence of the local Executive. The powers now exercised by the Local Government must not only be retained but exercised with a better grasp of the requirements of the litigant public and of the subordinate judicial service. For instance, it is a scandal that, in a presidency like Madras, there should be as many temporary sub-courts as there are permanent ones, and even more. It shows that either the High Court or the Government or both have allowed the institution of courts for the administration of civil justice in the Moffussil to proceed on an unsatisfactory method and almost in a haphazard manner. The judges presiding over these temporary courts, who are literally crushed under the weight of excessive appellate work and the original suits instituted in their courts, without the relief of small causes work, cannot but regard the present system as a grossly unsatisfactory state of affairs. The tendency of Civilian District Judges has been to leave vast accumulations of arrears of civil work, a practice which adds to the cost of litigation, the discontent of the parties concerned, and the public expenditure. The sanction of such a large number of temporary courts after a frightful accumulation of arrears betrays a lack of administrative control which justifies the conclusion that, instead of the Local Government's relaxing its interest in the department of justice, it should exercise a closer supervision. The High Court naturally cannot devote as much time on the administrative side as is called for in the interests of the department. Nor can it forgo the advantage of a certain amount of supervision by Government in the disposal of its own work. The accumulation of arrears in some of

the High Courts is itself a matter that calls for the attention of the Local Government. There are again questions regarding the pay, prospects, and promotion of men in the judicial department which demand an intimate co-operation of the Government and the High Court. For instance, the deserts of subordinate judges who have done conscientious work with a religious devotion to duty, with little rest and no recreation, at the sacrifice of their health, have failed to receive adequate consideration at the hands of the High Court and the Government alike. They have to try suits of unlimited jurisdiction, and are overwhelmed with work of a most responsible character. Yet the pay of the judge of a court of small causes is more than that of a sub-judge of the first grade, although the jurisdiction of the former is confined only to monetary transactions not relating to immovable property, and is no more important than the same functions of a District Munsif in the Moffussil. The fictitious importance attached to judges of the court of small causes and the civil courts in presidency towns, and the indifference with which sub-judges have been treated, cannot but evoke bitter comparisons in the mind of every hard-working sub-judge. Again, occasions have not been unknown when a whimsical standard of disposal of causes has been set up, not uniformly, but at particular junctures, to the detriment of the deserving members of the service and to the advantage of particular individuals. No little heart-burning has been caused by the arbitrary neglect of just claims, undermining at once the prestige, the peace of mind, and the serenity of temper of the individuals superseded. Supersession in the judicial department, as may be

easily realised, is a matter of more serious concern than in the executive branches of the service. It impairs the prestige of the official as a judge and tends to lower the character of his work in the estimation of the Bar and of his confrères. Of all Government servants the judge is the only one who is exposed to the full gaze of the public during practically all the time he works, who has to come into contact with the most intelligent and critical sections of the population, whose entire work is as an ever open book. That such a functionary should be capriciously dealt with in regard to the promotions automatically due to him, shows a profound lack of appreciation of the machinery of justice. Every judicial officer, and more particularly those who have risen to the position of sub-judge, should be considered as working not only for the pay they receive but for the pay due to them when vacancies in the higher grade occur. If the statistical test as to disposals is to be employed, it should be employed uniformly, as there is neither justice nor meaning in employing it in stray cases or by fits and starts. The idea should not go forth that a judicial officer can supersede all those above him by showing a larger and quicker disposal than the latter have to their credit, as such a test is not only fictitious but extremely prejudicial to the proper dispensation of justice. The tendency to perpetuate cases of permanent supersession in the judicial department cannot be condemned too strongly as a grossly injudicious policy in a department where no man ought to be permitted to remain in service with a stain on his honour. In judicial work the ideal of a race is the worst possible ideal that can be set up, and

those who have to suffer supersession by the operation of such a test will be justified in regretting that they ever entered the service, or discharged their duties conscientiously without being prompted by a desire to leave others of their grade behind them in regard to disposal. Again, the habit obtaining in some of the High Courts, of leaving the prospects of the Indian section of the judicial department more or less exclusively to the control of a civilian judge is open to grave objections, and has often resulted in personal injustice. Those who have practised before him, or served under him when he was a district judge, have an advantage over others, while those against whom he may once form an adverse opinion are left to suffer at his hands time after time. All the judges of the High Court are under the obligation to examine with scrupulous care the claims of the members of the judicial service, without entrusting them to the prejudices of one of their own number who may be misled in his estimate by the reports of interested persons, some of them possibly not above improving their own chances by depreciating others. In a large variety of matters, especially in regard to accumulation of work, the conversion of temporary courts into permanent courts would bring relief to overworked subordinate judges. In questions of supersession the Local Government must continue without undue interference to supplement the supervision and control of the High Court, guarding itself against the attitude of apathy and indifference into which it not unfrequently falls. This does not mean, however, that there is no need to strengthen the prestige or independence of the judges of the High Court in certain important directions. In two

respects it has become necessary to bring about a statutory alteration. In the first place they should be under a statutory disability as to appointments to other places in the service of the Government of India or of a Provincial Government. In proposing such a step we do not imply that a judge of such a tribunal will be actuated in his conduct, demeanour, and judicial attitude by any consideration of winning the approbation of the executive Government of the province. The judges of the High Courts in India have as a body thoroughly vindicated their freedom from such a failing, and have established a reputation for dispensing justice, if not in the fear of God, at least without the fear of man, and rarely prompted by expectations of favour from any quarter. But in this country, at any rate, a sound policy of administration requires that there should be neither promotion nor degradation from certain offices. The judgeship of a High Court ought to be such an office. It ought to be possible neither for the Government to offer another place to a High Court judge nor for the latter to aim at or canvass for another office while he is a member of the High Court bench; the appointment he holds as a judge of a High Court must be the final one under the Crown in India. The notion implied in such a limitation is that in the view of the Crown this office has no superior. Its independence and its responsibility must be considered sufficiently high to warrant such a limitation. A judge of a High Court must have the satisfaction of having held an office than which in the estimation of the Government there is none more trusted or responsible under the Crown. The tendency to look upon the High Court Bench as a

recruiting-ground for the Indian members of the Provincial or Supreme Executive Council is one that should be checked without the slightest hesitation as detrimental to the dignity of the High Court as well as subversive of the object of the Indian membership of the Council.

In the filling up of vacancies on the High Court Bench, whether permanent or temporary, the Government of the province should have no voice. The matter should rest with the High Court, the Government of India, and the Secretary of State. In the case of appointments from the Bar or the judicial service in India, the High Court itself should make nominations from which the final selection should be made. In temporary vacancies the Government of India may make the appointment from the nominations of the High Court, and in permanent vacancies the sanction of the Secretary of State for India should be obtained, while in those cases where the appointment is that of a practising barrister in England, the selection should rest with the Secretary of State himself. Even in the last case it will be desirable to place the patronage of the Secretary of State on a sounder basis than at present. He should be bound to make his choice from the nominations sent up to him by British tribunals of the status of a Chartered High Court; an arbitrary exercise of patronage is to be deprecated. It may probably be urged that the Local Government should have a voice in the appointment of the judges of the High Court from the Civil Service or the Bar, since the responsibility of administration rests with it. Such an argument in reality means nothing else than that High Court judgeships should subserve the purpose of strengthening the hands of

the Executive, and that the administration of justice in every province should be entrusted to men in whom the Executive has confidence. On the other hand, in the independence of the judiciary lies the real stability of the Executive. It is an exceedingly short-sighted policy to subject High Court judgeships to the patronage of the Local Government—the very body which has day after day to administer the territory within High Court jurisdiction—a body not even responsible to a popular legislature. The crucial fact to be borne in mind in these cases is that the executive Government in India is not a body holding office at the will of the people and answerable to the people; it is therefore essential that the administration of justice should be entrusted to a body of men, every one of whom is in law incapable of being the recipient of any patronage, and whose selection for the office has been independent of the Local Government. The position of the Government of India is different in this respect from that of a Provincial Government, inasmuch as the former is only a controlling body and the actual executive administration of any part of the country is not vested in it. Even in the Government of India the member in charge of matters pertaining to High Courts should be the Law member, who might be better designated member for Law and Justice.

SECTION III

Increasing Number and decreasing Calibre

The rapid increase in the number of the judges of the High Court in every province calls for the anxious consideration of the public as well as the Government of India. It is certainly not conducive to the dignity

or the reputation of a High Court that the number of its judges should increase to such an extent that men of indifferent mental equipment and of no great eminence in any branch of law have to be elevated to the High Court. To illustrate from the experience of one province, the time when at least one of the High Courts in India was at the zenith of its reputation for luminous enunciation of the law and for unsullied judicial independence was when there were no more than five judges of that court. The day when Sir Charles Turner was the chief, and Justices Muthuswamy Iyer, Kindersley, Kernan, and Innes the puisne judges of the High Court of Madras, seems for legal eminence and judicial authority to be destined not to return. The exceptional legal talent, juridical eminence, and imperturbable dignity of the High Court of those days could be attributed to some extent, no doubt, to the fact that there was then greater scope for the display of these qualities in laying down the law. At the same time it cannot be denied that nowadays, while the High Courts have gained in number, they have lost in calibre and distinction. The standard of ability required of a High Court judge in recent times seems to have sustained an appreciable fall, which has been accelerated by the rapid increase in the number of the judges. As an inevitable consequence of this increase, mere mediocrities have been drafted, from among Europeans as well as Indians, and the result has been a lowering in the prestige of the judges. It is scandalous that consideration of creed should be permitted to play any part at all, let alone to outweigh considerations of ability, in filling up vacancies in the High Court; it is lamentable that

to give effect to such a policy men of no marked superiority should be imported from alien provinces; and it is thoroughly reprehensible that complaints should be heard that any High Court Bench does not contain a representative of a particular sect or community of a district or a group of districts. If there be any sphere of the public service in regard to which such notions ought not to be suffered by the weakest of political constitutions, it is in the highest courts of judicature. The authorities responsible for starting or encouraging such ideas will do well to retrace their steps with an unmistakable and unshaken resolve not to give the slightest room for creating such impressions in the public mind; for they now threaten to weaken, however unwittingly, the strongest prop and pillar of British rule in India.

None of these changes will lead to the number of judges being kept within reasonable bounds unless the original jurisdiction of the High Court be abolished, and it be constituted *an appellate and controlling court only*, much greater care being exercised in the admission of appeals. The work on the original side must be entirely delegated to inferior tribunals of original jurisdiction, if necessary of different grades, established in the provincial capitals. The original jurisdiction now has reference solely to the criminal and civil cases of the city in which the High Court is situated, and there is no magic about its duties — merely the prosaic fact that the litigants on this side are the inhabitants of the Presidency town. The cases disposed of by the Moffussil courts usually involve much heavier interests than those disposed of on the original side of the High Court. There is no

need, therefore, to place the interests of the litigants in the Presidency town on a separate footing from the interests of those in the Moffussil. Competent tribunals of a status inferior to that of the High Court, but of varying grades, may be established in each provincial capital to deal with local causes and commitments, and the High Court should deal with these only in its appellate capacity. In Calcutta especially, where there is not even the saving grace of a city civil court, a suit involving property worth as little as 500 Rs. has to be entertained in the High Court; no wonder, therefore, that the number of its judges is confusingly large. The distinction between original and appellate sides is also injurious, as perpetuating an unintelligible and altogether untenable difference between barristers and vakils in some of the High Courts—a distinction which arose in the archaic order of things obtaining at the beginning of the British supremacy, when there were two sets of courts in British India, the Company's Courts and the Crown Courts. At the present day, however, this distinction is noteworthy only as maintaining that the most talented vakil, eminent though he may be as the jurist of the day, is inferior in status and rightly subject to disabilities compared with a barrister who may be no more than "a failed-matriculate" called to the Bar in England or Ireland. The abolition of the original jurisdiction of the High Court will therefore have the twofold effect of minimising the work of the High Court and of placing barristers and High Court vakils on an equal footing as members of the legal profession in their country. The High Court will also have more time at its disposal for the

better control and supervision of the administration of justice in the province.

To sum up the suggestions: The judicial administration of every major province should be under the control of a Chartered High Court which should be constituted as an appellate and controlling tribunal only. The relation between the High Court and the Local Government should be confined strictly to the administrative side of the department of justice of the province; the judges of the High Court themselves should owe their appointments or their recommendation neither to the Secretary of State nor to the Local Government. For temporary appointments the Government of India, and for permanent vacancies the Secretary of State, should be the appointing authorities, and the nomination should proceed from the High Court only. As regards the appointment of practising barristers from England, the Secretary of State should choose from the recommendation made to him by tribunals of the status of a High Court of Judicature. Whatever benefits and privileges are now enjoyed by those who live within the original jurisdiction of the High Court, unless seeking remedies at its hands as a court of ordinary original jurisdiction, should also, on the abolition of that jurisdiction, be extended to all who are subject to its appellate jurisdiction under suitable provisions.

SECTION IV

The Machinery of Criminal Justice

Turning to the actual machinery of judicial administration, the universal testimony of the public

has been that, while the administration of *civil* justice has proved highly efficient and satisfactory, and calls for few changes of a radical character, the administration of criminal justice has been the despair of the most sincere and pronounced supporters of British rule in India. If there could be two systems of administration of justice side by side, one of which could not be praised too highly and the other could not be denounced too strongly, they are these; yet the bureaucracy in India has been compassing the retention of the latter system as though it were the very ornament of British rule. There is no reason whatever why the public, all classes of the public, should entertain so great a confidence in the one machine and exhibit such deep distrust of and pronounced antipathy to the other, without substantial grounds. Both are equally products of British organisation, both owe their inception to British rule. The attitude of the people is yet so diametrically different in regard to them that, apart from every other consideration, this divergence alone would have created serious qualms of conscience in the minds of those responsible for the good government of the country, were it not for the fact that public opinion in India has been looked upon as worthy of nothing but contempt. If one but looks at the main features of the system of criminal justice in India, one sees that it would have been a negation of all human probabilities had it been other than an administrative blot and a judicial mockery.

In the first place, the administration of criminal justice has been made a branch of executive work, and has been treated as a symbol of authority in those whose primary function is the discharge of executive duties.

In the second place, those who dispense criminal justice have been made subservient to the police to an extent that cannot but defeat the ends of justice. In the third place, to complete the demoralisation, the police have been endowed with powers that have made them not only a menace to the innocent as well as the guilty, but a source of danger to the highest interests of British rule. Under the existing method, the entire body of subordinate judges who try alleged criminals as principal or committing courts are drawn from the clerical establishments of the Collector or the Sub-collector of the District, and are placed in subordination to the District Collector, both in his capacity as Collector and as District Magistrate, while he at the same time is the head of the District Police. As a body, they lack independence in the same degree as they deprecate it in others. Starting in life as clerks on an average emolument of a shilling a day, although most of them are graduates in Arts, they work up to the position of sub-magistrate, not only by dint of hard work but by an absolute effacement of their own individual opinions, judgment, and discretion in all those matters in regard to which the Collector may have any say. Further, the prospects of promotion from this position depend entirely on the Collector, to whom they are subordinates in their judicial as well as executive capacity. The Collector is not only an administrator and the head of the magistracy in his judicial capacity, but in his executive rôle is the authority responsible for the peace of the district, has vast discretionary powers in regard to important police investigations, systematically receives the diaries of the Police Superintendent of his District,

and forwards them with his confidential remarks to the departmental head. This same officer can transfer cases which come before the lower magistrates from one to another, take some cases on his own file, and act as an appellate authority in others. He regularly receives their judgments in all cases in order to form his opinion of their magisterial work. In other words, he receives the diaries of the Superintendent of Police and the judgments of the sub-magistrates as a part of his systematic duties. In some parts of the country subordinate magistrates are expected and even required to call on the Superintendent of Police, and we can well imagine that they can rarely refuse to answer questions put to them touching their judicial work. In one notable case in the Madras Presidency some years ago, a European civilian Collector went the length of ordering a subordinate magistrate to offer an apology to a section of the police force from his place in the open court of justice for certain remarks he had made as a magistrate on the conduct of the police.

While this is a singularly good instance to bring out the judicial subordination of the magistracy to the police, it also gives an indication of the traditions which have come to characterise the inferior tribunals of criminal justice under a long-continued system for which no single individual can be held responsible. Many Collectors, the conscientious section at any rate, must find the conflict of duties too severe to be borne in a spirit of equanimity, unless it be that they have got into the habit of administering criminal justice according to police requirements. The people who are the victims cannot with equal readiness reconcile themselves to

a system which is so wanting in the rudimentary principles of fair play. And if one can realise the credentials of the Indian police, the incredible latitude given it by the law of the land in the detection of crimes and prosecution of persons accused of crimes, the low *moral* of those employed in its subordinate ranks, the practical isolation of the controlling officers of the department, whom no correct information as to the misdeeds of their subordinates can reach, and who are content to leave things to their inferiors so long as their behaviour towards themselves is proper enough,—if one can adequately and patiently realise all this, one can fathom the actual delinquency of making the subordinate magistracy a branch of the District Executive.

There is a general official impression that the Indian policeman has been the undeserved object of calumny by educated Indians, and that, even if there is some justification for painting him black, it can only amount to an admission of the low morality of the people of India. This sapient remark has been often indulged in by men who ought to know better than to affirm that, if the Indian policeman is corrupt, it only shows the measure of honesty of the people of the country. One may, however, challenge any force in the world to acquire, under similar conditions, a better reputation than that of the Indian police; placed, that is, under the control of a handful of foreigners who are not only isolated from the bulk of the people and little versed in their vernaculars, but altogether estranged from the daily conduct of a subordinate staff which live and move among the people and is as ill-paid and recruited from such a layer of society as in India! Add to this that the law of the land places tremendous

temptations in the way of this staff, temptations almost equivalent to an abetment of the crimes that may under the circumstances be committed by those who are the victims and not the possessors of the powers with which they are entrusted. If those supercilious apologists who think they have found a poser in coupling the standard of police morality with that of the morality of the people, will only imagine what the state of affairs in such a country as England would be were all the higher offices in the police occupied by a class of people analogous, let us suppose, to the Reddies of the Telugu districts, ignorant of English and living in isolation from the bulk of the population, and compelled to fall back upon subordinates of the meagre pay and extensive powers of the Indian police, they may then appreciate the soundness of their observation.

To look at it from another standpoint: Are there not, for instance, in the Postal Department, employees of the same class as the lower police, entrusted day after day with large and small amounts of money, but nevertheless a credit to the Indian community? Are there not District Munsifs who have maintained a high record for judicial rectitude by the side of the sub-magistrates, in whom the country has not a fraction of the confidence that it has in the former? Are there not civilian District Judges who are models of judicial integrity, who rather than indicate to a District Munsif what his attitude should be as to a suit pending before him, would vacate their office? It is not the standard of morality of any section of the population from which the lower or upper subordinate police or the sub-magistracy of the country is recruited, or the standard of judicial

uprightness of the civilian Collectors, who are of the same class as the District Judges, which lies at the root of the problem. The evils arise, firstly, from the system of recruitment to the *higher* police staff; and secondly, from the provisions of the law as to the powers exercised by the police in the detection of crimes. Purity of criminal justice means the independence of the magistracy, the efficiency of the police, and the practical incorruptibility of both. The first can be ensured only if the magistracy is separated from the Executive of the country, made a branch of the *judiciary*, and placed under the sole administrative control of the District Judge and of the High Court. The head of the District Executive must cease to exercise any control over the magistracy or any kind of judicial function. This may to some extent increase the cost of administration; but economy should be applied in other directions, and not secured by a deceptive satisfaction with a radically unsound system of judicial administration, which at once fails in its objects and jeopardises popular content. There are directions in which to economise is to be not only wrong and unstatesmanlike, but culpably indifferent to the best interests of the Government; to stint money for a sound judicial machinery is to stint it on that which makes all governments *primarily* valuable to a people. The fear that the prestige of the Collector will be undermined by his ceasing to be the head of the District Magistracy assumes that his supposed standing is of greater consequence than a sound system of judicial administration. To seek executive prestige under an unjuridical and barbarous device is to sacrifice the prestige of the judiciary, and to

bolster up the position of an official by methods which strike at the popularity of the Government and imperil its hold on the masses. Granting that the lustre of this official body may diminish to some extent, the prestige of British rule will be more than correspondingly enhanced. After all, what a melancholy travesty it is to say that nothing less than an unsound system of judicial administration can safeguard the prestige of the Executive! Does the prestige of a member of a Board of Revenue or of a secretary to Government suffer because he does not exercise first-class magisterial powers and sit in judgment over the decisions of sub-magistrates? Has the prestige of a sub-judge suffered in any way because he has no criminal powers? Every office has its own duties, and no occupant of it can suffer in prestige because he does not combine the powers of another office with his own. It is time to build up the prestige of the Collector as a substantive administrator, no longer retaining him as a mere henchman of the police, which rôle has detracted from his utility as well as popularity. It is far too late in the day to seek to uphold it on such flimsy arguments, and the sooner the Government liberates itself from these notions, the better and more creditable it would be for its political perception.

But no reform and reconstitution of the magistracy of the country can lead to a purified system of administration in regard to criminal justice, unless the reform of the police is also undertaken simultaneously. It is doubtless possible in a strain of righteous feeling to give vent to expressions which may at times appear to be unmindful of the difficulties that beset the Government as regards the

maintenance of peace and security of property on the one side, and the efficiency and honesty of the corps that is employed to secure it on the other. We may also recognise that in every country the police has been looked upon as preferable only to those whom it is employed to keep in hand. Recognising these universal features, and that the police has been the pet aversion of society in countries more advanced than India, nobody who knows the methods of the Indian police can yet rest content with a state of affairs in which it is possible for men to create a hell on earth. Although India has for a long time past been governed by England, in nothing is the difference between India and England more striking or dumbfounding than in the difference between the police of the two countries. Of course we know that, whenever such a statement is made, an avalanche of contrasts between the two countries is hurled forth by the official apologists of the Indian police. Of course we know that a long time must elapse before the Indian policeman can become the pride of the country as the London policeman has become that of the metropolis of the world. It will be long before the policeman's finger can symbolise in India the authority of law, and can command the instantaneous obedience of all sections of society as in England, just as it will be long before the *gharrywala* in the streets of Calcutta can work with the police as the London cabby does ; nor do we expect the Indian policeman to become an actual helpmate to all those who may require his help, from little waifs and strays to men and women unconscious of the danger in which they happen to be ; nor do we suggest that it is an easy transformation to place a Scotland Yard

anywhere in India. Far short of all this, have we not the right to expect that no policeman shall take a man into his legal custody and belabour him when he is helpless, with a view to obtaining a confession of real or supposed guilt? The glory of an English policeman is that he will take it as an indelible mark of cowardice to lay hands in needless violence on any criminal in his custody. Have we not a right in India to be released from the tender mercies of a police force whose first plan of detection is that of "obtaining" a "confession," which seems to feel powerless and paralysed if it cannot procure a remand of accused persons from the custody of the magistrate into its own, time after time if necessary? Is this remand a process of hospital treatment or of mesmeric exercise of will-power, or an opportunity of ministering to an afflicted spirit?

The barbarism of remanding a person accused by the police to police custody is a practice no civilised jurisprudence can tolerate for a moment, and no government which has regard for feelings of humanity can bring itself to sanction for the space of a day. An accused man may have to be kept in detention and not released on bail, but what possible, what conceivable justification can there be to hand him over to his accusers, who are armed with this weapon of legal custody and with what other instruments for the extortion of confessions, the All-seeing Heaven alone can possibly know to the full? Have there not been cases of grievous injury and even death as a result of remand to the police? Have there not been cases in which policemen have been actually convicted of torture? Have there not been instances when men in the agony of pain, in the

anguish of suffering, in unbearable mortification, confessed to crimes they never committed, nay, have gone the length of discovering supposed evidences of an imaginary crime of theirs, when in the end it has been established by irrefutable evidence that there had been and could have been no such crime at all? These cases do not belong to the time of the East India Company, nor even to the dark age of inefficiency that preceded the advent of Lord Curzon. During his viceroyalty two typical cases occurred, one in the District of Jhansi in Central India, and another in the Madura District of the Madras Presidency, before which the scene during the assize at Arras when the true Jean Valjean stood face to face with the Jean Valjean of the police pales into a commonplace triviality. There at least honest policemen were misled by facial resemblance and the imbecility of their victim; here *in the annals of judicial record*, unlike the pages of fiction, there is not even the shadow of such an extenuation. They illustrate the awful and unendurable miracle that police custody may perform in transforming innocence into self-inculpating guilt of a most hideous dye in the case of man as well as woman. In the Madura case, a man had suddenly disappeared after a quarrel, and it was believed that he had been murdered; the suspected murderer and his accomplices were arrested, brought before a magistrate, and were from time to time, as is usual in Indian procedure, handed over to the custody of the police for purposes of investigation and collection of evidence. The principal prisoner confessed to his crime before the magistrate of the place, giving a minute and circumstantial account of how and by whom the

missing individual was murdered, and how the corpse had been disposed of. Other evidence corroborating the murder was also tendered; more than one grave was dug up on the information of the confessing prisoner. When, however, he was about to be committed to the Sessions, the missing man, a village schoolmaster, having heard all about the police proceedings, appeared in court from the place he had reached *en route* to Burma. The above may well pass for a tale invented to do honour to the goddess of justice; but the person of the accused who made the confession exhibited its terrible reality. The district medical officer, Lieutenant-Colonel W. F. Thomas, I.M.S., certified that the accused bore on his person marks of about nineteen injuries, the probable date of which was about a month previously. This certificate was dated the 1st August of that year; but on the 16th July previous the Taluq magistrate, in recording the confession, had made a note, according to law, that the accused had no injuries whatsoever on his person. The injuries, according to the medical officer, were not of a fortnight's duration, but were a month old.

What a lurid light does this throw on the value of confessions to the police, the ways and means by which they are obtained, the veracity of the magistracy recording the same, the consequences of handing over an accused person from the custody of the magistrate to the temporary custody of the police for "collection of evidence," in fact on the whole system of administration of criminal justice *as it obtains to-day*, including the combination of judicial and executive functions and the consequent subordination of the lower magistracy to the police!

In the Jhansi case a woman was arrested on the charge of abandoning her new-born babe; a number of witnesses were produced to prove the woman guilty, including a *Dhai*, a menial midwife; and at last even the poor woman herself confessed to the crime, and was sentenced to nine months' rigorous imprisonment. The process of law then pursued its uninterrupted course to the end, no revelation being made as in the Madura case; but the course of nature cannot be arrested either by the production of police evidence or by the pronouncement of a magisterial judgment. The woman—who was arrested on the charge in February, under magisterial and police custody until her conviction in April, in prison till the following June after her conviction—was discovered to be in an advanced stage of pregnancy, was soon after released, and gave birth to a child in the October following. That is, a woman was convicted, on police evidence which included her own confession, of the crime of abandoning her new-born babe, at a time when she was at the beginning of her pregnancy. In other words, a woman who was delivered in October had abandoned her new-born babe in the previous February; or, to state the facts in another way, she gave birth to a child in February and to a second in the following October. And to all these miracles she herself gave witness, according to the confessions recorded by the magistrate! One may well ask, "O Confession, is there a hell by thy side?"

The policemen concerned in the Madura case were convicted, and possibly those who were concerned in the Jhansi prosecution as well; but that conviction has nothing to do with the merits of the question before us. That question is: How comes

it that a man confesses to murder when the murdered individual is alive, and identifies his grave when no grave could have contained his body, and when there could have been no crime of the alleged kind any more than a collision between Mars and the earth? That question is: How comes it that a woman confesses to having abandoned her new-born babe when, not by medical testimony, but by the irrefutable evidence of the course of nature no child could have been born to her? The harrowing wails and the heart-rending cries that must have escaped some of the men and women taken into remand by the police, the imprecations they must have heaped upon an authority that makes them liable to such cruelties, the curses they must have called forth on the hour of their birth in unavailing agony, from the tempestuous depths of their unendurable rage, must have appealed to God if not to man; and who knows the ways of Providence in avenging such wrongs? The Indian proverb is "Blow on blow can make the stone mill go." In the hands of an Indian policeman, or, for that matter, any policeman similarly situated, a saint will be ready to become a reprobate, and a reprobate will undertake to perform miracles. The system of remand to the police is at the bottom of a good deal of the problem of police reform, and it is an infamous blot on the fair escutcheon of the British race that it should be suffered to exist when even an imbecile man or child can divine its purpose and utility. If the Indian police cannot get on without such a power it deserves to be summarily disbanded, leaving the citizens to take care of themselves by methods which every society can devise when necessary.

It is impossible, and indeed needless, to attempt to comment on such a system in any language of adequate condemnation; but it is necessary to examine one or two consequences that cannot but be traced to it. If any administrative system can possibly corrupt human nature, this system of remand to the police has corrupted the lower strata of Indian society in a manner few have cared to own. Truth and justice have become bywords with them on this account. The average God-fearing Indian, and they are many in India, has for a long time past come to look upon complaining to the police, unless he can definitely and directly hand over the culprit, as a nameless crime. For who knows to what it may lead to set the police in motion, in cases of mere suspicion, the torture of the helpless, the conviction of the innocent, the escape of the guilty, and the heart-rending mockery of justice? The universal distrust in which the Indian police is held even in cases when its help is needed has sprung up from the conviction that it is far better to suffer than to seek relief at the hands of the police. In solemn seriousness many a man, unless certain of the guilty party, is afraid that a complaint to the police may not only lead him into unforeseen troubles in this world, but have consequences which may pursue him into the other world, visiting upon him in virtue of his complaint a share of the sin it caused to be committed. It is a stock allegation of writers and critics of a certain class that in India the people do not help the police, and scrupulously refrain from all assistance. On the other hand, it will be within the experience even of many civilians that on many occasions they have been able to ascertain all about one Indian from another without

going out of their way to find it out. It is a fact that the people of India are the least reticent and the most communicative ; but their copy-book maxim is " Avoid the police." It is one of the vices of the Indian police to demand more and more. If a villager should happen to say that he did see a particular individual at a certain hour and place, the Indian policeman will demand more from him and bother him out of his life in the sure conviction that the villager is not speaking the whole truth. The Indian has learnt by hereditary experience to look upon the police not only as evil company, but as a danger present and future. As a result, the system has corrupted all that section liable to corruption, and has repelled all those of a better mould.

A third and a much more serious consequence from the point of view of the Government is the distance which it has created between British rule and popular attachment to it. The higher excellences of that rule can, in the very nature of things, reach only a small section, while its defects, especially when they have reference to protection of person and property, must affect the millions, and furnish them with the most convincing data for their judgment of British dominion. The system of remand and recourse to confession that has so long held sway in India, the method of awarding promotion to the police, not by the test of prevention of crime or by detection of property lost, but by the percentage of convictions obtained, and the fact that the higher police Executive are foreigners in the country and out of touch with the people placed under the charge of their subordinates, all have narrowed the scope and capacity of criminology, and enlarged

the domain of oppression and concoction. That class of the people who look upon the police, not as the arm of the law, but as the law itself, not as a service of the Government, but as the Government itself, and know no Government other than the police, have come to believe that they cannot fly from it so long as the "white man's" rule continues. The educated classes, who know how false standards of prestige and an exclusive regard for perpetuation of power and self-interest are largely responsible for these anomalies in the initial usefulness of a Government, have lost their faith after crying themselves hoarse. No grievance has been more persistently ventilated than the combination of executive and judicial functions; nothing has more outrageously scandalised the Indian public than the remand to the police, and what would be, but for its cruelty, the farce of confession. Yet redress of the one has not come into the region of practical politics through the fatal sagacity of the Civil Service; while British parliamentarians, in the ruinous fortitude born of abject ignorance and blighting self-will, have ingloriously fallen foul of men who would invite public and parliamentary attention to the other veritable plague spot of Indian administration! Tinkering suggestions are made as to improving the law of confessions, leaving securely alone the source of the evil, the remand to the police. These makeshift bureaucratic devices, alike inconsequential and deceptive, these visitations of bad temper and tired parliamentary nerves, these perpetual soliloquies by vague officials sitting on the fence and wondering whether to jump or not to jump, and if jump they must, when and how far, have

thoroughly and deeply disgusted the Indian public. The reform of the magistracy can scarcely any longer brook delay or such interested vacillations or disinterested dread of being hustled in the right direction. To infuse a new moral code and modern notions of detection without recourse to remand, to obtain the co-operation of the public by purifying the method, *moral*, and outlook of the force, all this requires a more intellectual class of police officers, both European and Indian, recruited on lines suggested in a subsequent chapter on the Public Service. At the same time, the law, practice, or procedure which allows the handing over of any accused person from the custody of the magistrate or jailer to the custody of the police, presumably for collection of evidence, ought to be utterly abolished. As soon as a person is arrested by the police and brought before a magistrate, he should be in the custody of an officer of the jail, and the police should have absolutely no access to the person awaiting trial, although he may at any time seek an audience of the magistrate for the purpose of making a statement. All communications with him must be made directly in open court, or, in emergencies, in the presence of the jailer; the premises of the jail must be guarded by a section of the Indian sepoys detailed for jail work, and the police should be relieved of the work of guarding and escorting prisoners, whether condemned or on trial. The contact between the police and a prisoner on trial should be limited to the former's giving evidence in open court or receiving evidence which may be tendered in the presence of the jailer and the magistrate. Then there will be purity in police investigation, and the opportunity and temptation to

obtain confessions as an easy road to detection will disappear. Then will dawn an era of real detection and of healthy and fruitful contact between the police and the people, engendering mutual trust. Then, with the other changes effecting a separation of judicial and executive functions, British justice in India will become one of the guardian angels of the throne of Great Britain, and the cause of British ascendancy will be advanced by one more striking addition to the many achievements it has to its credit, and to the benefits it has conferred upon a great proportion of the human race.

CHAPTER X

DISTRICT ADMINISTRATION

SECTION I

More Government on the Spot

THIS was the expression Mr. Gokhale used on the 27th of February 1912 in moving before the Supreme Legislative Council a resolution recommending the constitution of Advisory District Councils. For those who shape the policy of Indian Administration, that expression of Mr. Gokhale's is more valuable than the suggestion contained in his resolution, however attractive the latter may be at first sight to the progressive Indian mind. The resolution recommended a particular method by which more government on the spot could be secured, which was at once beset with difficulties and open to objections. Apart from the fear that they may become perpetual rivals to existing District Boards, Consultative District Councils, as Mr. Gokhale himself frankly anticipated, cannot but develop in course of time the inclination to claim administrative control of a certain type in the management of the district. To subject the head of a district, in regard to its executive affairs, to the authority of a Council, however limited it may be, is to split up the responsibility

of Government in the very unit of administration, an experiment the gravity of which not even those who desire more government on the spot can overlook at present. Although it might have been considered that the recommendation of Mr. Gokhale, whose suggestions to Government were usually marked by a sense of thorough practicality, was so vastly in excess of what the situation demanded as to suggest that he was for a radical recasting of District Administration in India, still there is no denying the force of his main contention for "more government on the spot."

Apart from the particular method that he recommended, the appeal he made for more government on the spot is an appeal compliance with which in some more feasible and less objectionable form cannot be deferred much longer, if the efforts of the British Government in India are not to fall short of their maximum value. The solution of Sir Reginald Craddock, the Home member, which consists in liberalising and invigorating District Boards, may no doubt lead to splendid results if carried out; but it cannot from its very nature lead to more government on the spot and cannot therefore compass the particular end in view. For what the vast bulk of the people in India, those who are affected by District Administration, require more than any representative boards and bodies is *access at regular intervals to the head of the district to represent what they may consider to be their grievances*. Neither Mr. Gokhale's small Advisory Councils, nor Sir Reginald Craddock's liberalised District Boards with increased powers, can furnish such access.

It will be long before representative institutions

in India establish close and effective contact between those who carry on the administration and those whose daily well-being is affected by it. As regards the larger problems to which the government of a vast empire must necessarily give rise, representative institutions to fit the maturity of the people are no doubt necessary and of immense prospective value. Local Boards, securing as they do the association of representative men in the actual work of local administration, serve a most beneficial purpose. But of equal importance is the opportunity for the ryot or the trader to lay before the accredited agent of the *sircar* his grievances, burdens, and disabilities. Relief he may not have in all cases, *but hearing he must have,* and the responsible head of the district must know what the people in his charge desire, whether or not it may be open to him to grant their requests. It is this lack of opportunity that has led them to think of the *sircar* as an agency whom it is not in their power to approach, between whom and themselves the Post Office is the only medium of contact, and to whom all access is barred by an impregnable hierarchy of officials. Is it a wonder that, more often than not, they look upon the *sircar* as impassive, if not unrelenting? It is again this same lack of opportunity for the Collector of the district to know the people's wants directly and systematically, and to ascertain the trend of their leanings, that has powerfully reacted on him, making him a mere official in charge of a machine, instead of an administrator in flesh and blood, and crippling his utility and influence with the people of the district. The argument that the subordinate Executive of the district know all about the wants

of the people is beside the point, since their authority or discretion is not the same as the Collector's. Nor is it of much value to say that it is open to the Collector to be, what he is not now in most cases, a living reality to the people of the district. *For where everything has become a matter of system, nothing new can be effected unless introduced as a part of that system.*

SECTION II

Strike—but Hear

The problem of securing more government on the spot in India is therefore nothing more than that of providing opportunities for direct access to the head of the district in matters of purely local grievances, as a part of the system of District Administration. Such a provision involves the withdrawal of the Collector from a good deal of routine, and its delegation to his personal assistants, who may belong to the Indian or to the Provincial Civil Service. It involves also his complete withdrawal from the exercise of magisterial powers, remaining merely an Honorary Magistrate in virtue of his office. It involves in addition his being required, under rules to be framed by the Local Government, to summon what may be called District Assemblies, at which representations may be made to him, to which replies may be given on the spot or later on in the *District Gazette*. The scope of these conferences should preclude the moving of any resolutions or the taking of votes on any subject, their object being merely to afford opportunity to bring to the notice of the head of the district any matter of local grievance. Inter-

pellations as framed in the Legislative Councils should also be outside their scope. Their object should be neither to take part in the control of the administration nor to elicit information from the authorities, but purely the representation of grievances. The composition of these conferences must be such as to secure the representation by election of groups of villages in every district, all those paying a certain amount of land revenue or income-tax being eligible for the electorate, the maximum number of members elected to be not more than two hundred, and the minimum not less than one hundred. The proceedings of the Assembly should be in the vernacular of the district, with the aid of an interpreter if necessary; and a brief summary with the replies to the representations should be published in the *District Gazette* as a vernacular supplement. Uniformity of procedure in all provinces or districts should not of course be required, but the system should be adapted to local conditions. In all cases these conferences should be presided over by the Collector and attended by the respective heads of District Administration, in the departments of Police, Excise, Forest, etc. Not more than a week's time need be allowed for a single session of the Assembly, and there should be two sessions every year, unless the Collector for pressing reasons and with the permission of the Local Government, dispenses with one of them. A fortnight's time in a year taken away from routine to understand the needs of the people at first hand, and a little more time spent in affording redress wherever possible, will amply repay the honest labours of these hard-worked officials and render them far more useful than at present. After all, the vast majority of the people

of India desire no more than to be governed well, and to withhold from them some systematic method of representation touching their local wants and grievances is for the Government to withhold from itself an invaluable source of strength and support. It is by the adoption of some such method that more government on the spot can be established, without dislocating the powers of existing bodies and without dividing the responsibility of the head of the district by the constitution of another authority. These Assemblies promise to become electoral units for a Chamber of Deputies, which will be a branch of the Legislature in direct contact with the people, while the existing Councils will be representative of institutions and interests. To ignore the need for devising some method by which more government on the spot in this sense can be introduced, is to forgo the maximum of benefit to be obtained by a minimum of change in an undoubted sphere of good government. Should the representation of grievances at these conferences fail to afford relief, the subject will naturally attract attention in the Provincial Legislative Council. Such a prospect is enough to ensure attention to the grievances, and a good deal of avoidable discontent would be remedied at the outset and not left to take root and develop in course of time into a hardened spirit of antipathy. The revolution that should be effected in District Administration is that the Collector should become a live beneficent administrator instead of a mere official figurehead. He must be in more intimate contact with the subordinate officials and the people of the district. He must be to his district what a Dewan is to a Native State. He must have greater powers of

initiative in promoting its industrial and agricultural welfare, and must be kept in the district for a minimum period of fixed working years. In bringing about such a transformation the institution of District Assemblies is an invaluable and almost an indispensable factor. The Collector is now in most cases represented by a mere illegible official signature; he is so often on leave and so constantly transferred that he has become more and more of a technical requirement in the constitution of the district officialdom than an actual official; and as for being an *administrator*, he will himself in most cases smile at the idea.

With a thorough separation of judicial and executive functions, with the establishment of District Assemblies, with a radical change in the policy of the Government in regard to the frequent transfers of Collectors, with a better knowledge of the vernaculars, the head of the district will become a responsible administrator whose interests are centred in the well-being of the district placed under his charge, and who will therefore be an irresistible power for good. Such a change in the position of the Collector reveals a prospect of strength and stability to the British cause and of abiding good to the people, to postpone which must be accounted culpable apathy if not an incredible lack of political understanding.

CHAPTER XI

VILLAGE AUTONOMY

SECTION I

Where the British Axe really fell

EMINENT Anglo-Indian authorities have regretted nothing more keenly as a consequence of British reorganisation of India than the disappearance of "the village community," the merits of which early British rulers of India completely failed to understand. During centuries of frequent dynastic changes in the kingdoms that formerly constituted the Indian Empire, and in spite of the foreign invasions that flowed through the land and vanquished the supreme authority for the time being, the village community had stood as the country's normal and imperishable system of administration. It was a system assimilated to the very soil, and Asiatic rulers were quick to perceive that it was at the bottom of much of the prosperity of the country, and that any rude interference with it would mean handing over the people to perpetual privation and the land to unending disorder. They saw that they might sack the capital of a ruler, pillage a prosperous town, plunder a great centre of trade or a sacred shrine, and yet leave the country to recover its former prosperity

if the village organisation survived their attacks and atrocities. They knew that it was the source from which the stream of prosperity traversed the land, and that if the source were dried up the bed would remain for all time a parched and sandy tract, a reminder of past fertility and a standing witness of present and future desolation. No ruler, therefore, ventured carelessly to interfere or to start any manner of experiment with what was religiously believed to be the perennial spring of the country's well-being, wherewith it healed itself time after time in spite of the afflictions to which it might have been subjected by nature and man. They not only recognised in the village community a system bound up with the land itself, but found in it a social and economical organisation which formed the very fibre of the nation. They could not help appreciating the methodical way in which the whole organisation worked with clock-like precision, subtle and strong, each part co-ordinated with the others to perfection, the whole scheme a social masterpiece. The best of the Mahomedan, Mahratta, and Karnatic rulers, the best of the Dravidian chiefs of the south, the feudatory sovereigns and territorial magnates of upper India, did all they could to uphold the strength and prestige of the autonomy of the village community and the authority of the village 'Panch.' The worst of them refrained from interfering with it in any manner. When the British took the administration of the country into their own hands, they thought that an efficient centralised system of government would be incompatible with village autonomy, and proceeded to supplant the powers of the village Panchayets by appointing village officials

subordinate to Taluq authorities, who in turn carried out the mandates of the district officers in direct contact with the Local Government. The revolution was accomplished with scarcely any thought of the consequences of such a tremendous innovation. Those who were responsible for it believed that they were doing a perfectly innocuous piece of work bound to bring about a wholesome change in the system of administration. This same change might have been accomplished as easily by the governments that preceded the British Government, but they knew that to meddle with the village community would be to throw the country into chaos. They looked upon it as a basic principle which should remain intact however much the exterior structural aspect might be changed. The British rulers, in perfect good faith, removed with strenuous endeavour every vestige of the old foundations and brought into existence a system of administration neither British nor Indian, nor even a faulty combination of the good and the suitable elements of both. It was the work of amateur constitution-mongers who were all alike in the faith they had in governing from without, and would not brook the notion that government of any kind from within was possible in India — this after destroying the magnificent village autonomy which India alone of all countries in the world had enjoyed for centuries. The effect has been that administrative departments have been multiplied for purposes of provincial and imperial revenue, and the wealth thus drawn from the rural areas goes, not mainly to promote the prosperity of those areas, but to maintain the costliest administration in the world. Before

the advent of this centralised system of government the wealth largely remained in the villages themselves, distributed in each village according to social habits and conducing to a plentiful supply of the necessaries of life and consequently to popular contentment. That contentment has now all but disappeared so far as the masses are concerned, and has been replaced by a perpetual apprehension of destitution. In addition to this, in the old days the Panchayet decided all communal disputes, agrarian suits, and all questions relating to succession and partition, according to the custom of the community; now a system of endless appeals to the Privy Council has been established, with the result that civil justice has become ruinously costly, and the confusion in Hindu law immense and amazing.

The outcome of all this is that the contentment of the masses, which began to disappear on the disappearance of the village community, has given place to a sense of despair which looks upon any and every contingency as a probable occurrence to which it must be prepared to succumb. The creation of a relentless form of centralised government with its powerful tentacles stretching out on all sides in the shape of the Excise, the Forest, the Settlement, and similar departments, dealt blow after blow to village autonomy and transferred the wealth of the rural areas to the coffers of the Imperial Exchequer, giving back an almost negligible portion to the villages themselves and retaining the largest bulk of it, firstly for the pay and the upkeep of the Military and Civil Services, secondly to meet the requirements of the men living in large cities and municipal areas who composed these services, and thirdly to maintain

those institutions which supply the men for them. Village sanitation, village education, village pasturage, village irrigation, village granaries, in a word, village plenty and prosperity, have all been laid under contribution to develop the amenities of city life and for the maintenance of the most luxurious service to be found in any part of the civilised globe. Although the official, the semi-official, and the pushful trading classes form now a larger and wealthier section of the population than ever before, the condition of the great mass of the people, including the middle classes, has become one of unprecedented trial and of acute struggle to make both ends meet. Perpetual need, if not perpetual hunger, seems to be their lot in life. Not only has the socio-economic organisation of the village disappeared under the assumption of authority by the British, not only has the autonomy of village administration been completely obliterated, but the very necessities of life have been transferred from the village to the city. The vast rural area of the country has been converted into a source of unfailing supply for the serenity and comfort of the superior and subordinate services, civil and military, for the installation of the conveniences of life in cities, and for all kinds of civil and military enterprises, without any adequate return to the communities whose resources are continually drained for such purposes. The neglect of village prosperity in a country like England is not a serious neglect, because the wealth of England lies in the prosperity of its great centres of manufacture, in its dockyards, in its shipping companies and exchanges. In India our source of wealth will and should remain for a long time in the rural area; if we draw upon this

source without adequate provision for replenishing it, we exhaust it and impoverish ourselves in course of time. Such a policy of neglect is not far different from the conduct of the man who had no idea that the goose only laid golden eggs but did not contain them.

The Oriental governments took what they wanted from the village in varying proportions, but the balance which now comes away in Court fees, stamp and registration fees, lawyers' fees, and in scores of other ways, was in the possession of the village itself and was returned to it to add to its prosperity or to sustain it in distress. The demand of the State might have varied from one-sixth to one-third of the produce; of the balance, however, the village was assured, and that balance included all the rural sources of wealth, such as Forest, Excise, and Salt. Now the resources of the village are in their entirety the resources of the State, and the village fails to get even an adequate sustenance for itself. The cattle have deteriorated, the peasant has deteriorated, the labourer is for emigrating, the landlord is an absentee proprietor, the village in many instances a mere set of mud walls, its forest wealth, fuel and manure, a monopoly of the State, the pasturage, if any, an arid waste, and the price of agricultural commodities has fearfully advanced, benefiting the middleman and the merchant, but nobody else. The prosperity of the middleman and the merchant is assuredly not the same as the prosperity of the producer or of the consumer. The producer must sell in an increasing number of instances even before the harvest; the clever broker, the vigilant money-lender, and the exploiting trader benefit by the necessitous condition of the producer;

and with the supply lagging behind the demand for consumption at home and export abroad, prices have been going up by leaps and bounds. Land is being purchased at an increased price, not because it yields more to the owner, but because it is a safe and secure investment on which money can be raised easily by hypothecation, although at a low rate of interest. The irony of it is that the assessments in Ryotwari tracts are raised because the prices are high, and again the raising of the assessments is a cause contributory to the rise in prices! The burden on all classes, excepting the infinitesimal section of prosperous merchants and *sowcars*, a few high-placed Government servants, and the leading men of the learned professions, is becoming crushing. Necessaries have become luxuries, and luxuries at the same time have become necessaries by our perpetual contact with a foreign civilisation which in every department of life has raised the standard of life and the cost of living. The cost of education, on top of all this economic devastation, is proving a strain too heavy for endurance by all except the really prosperous strata of society.

SECTION II

The Work of Restoration

If the vitality of the people is to be restored the beginning should be made with the villages, and a good deal of what has been taken from them should be given back. The question of permanent settlement, or of long-period settlement wherever permanent settlement does not obtain, is not a question which can be decided on theoretical assumptions

about rent and revenue or on flimsy data furnished by rise in prices. Neither the necessities of the Imperial Exchequer nor the assumed universal landlordship of the Government could furnish all the grounds on which it calls for examination. A long period of settlement, if not an absolutely permanent one, is necessary as the only method of ensuring the return to the land of a portion of what is taken from it. The prosperity of the agricultural owner means well-fed cattle, well-manured soil, a tenantry with enough to eat, and therefore contented, laborious, and efficient, and above all a state of financial stability in which the landlord can withstand the temptations of the advances of the broker and keep himself and his holding from encumbrance. If the owner is not to be entitled to the value of his improvements and to the benefit of a rise in prices, there is no method by which this prosperity of the owner can be made to ensure the prosperity of the land. The State may, by periodical unsettlements, derive a larger revenue, and this process may be deemed a process of nationalisation of the land; but it is a steady process of starving the landlord and with him the soil and the live-stock, and in addition of casting the landlord to the mercy of the money-lender. The State cannot assist the owner by a grant for better manuring his lands or for more satisfactorily feeding his cattle because it appropriates a larger share by its periodic enhancements. On the other hand, if the State took from him a fixed amount for purposes of revenue and left him master of his increased income, there can be little doubt that his prosperity would be a productive factor of immense value in

increasing the fertility of his soil, bettering the condition of his live-stock, and making him less susceptible to loss and suffering in times of distress. There are cases in which the best way of making a grant is to take less, the best method of restoring is to be moderate in demanding, and the best course of ensuring the stability of prosperity is not to be too clamorous in claiming a share in it. Rural agricultural prosperity is at the bottom of the prosperity of the whole of India; it is different in England, where industrial prosperity lies at the foundation of the country's well-being.

It is impossible to promote rural prosperity without promoting the well-being of the landlord, and this again depends on his being entitled to the natural advantages of his position, advantages which a system of periodical unsettlements is certainly not calculated to secure. What free trade and the absence of tariff walls is to a great industrial and carrying country like England, a fixed assessment and freedom from perpetual enhancement is to an agricultural country like India. Nor is the surplus revenue of the State a recompense for an exhausted soil, an enfeebled live-stock, a famished peasantry, and an encumbered landed proprietary. In pre-British days the absence of periodical enhancement of revenue was, as a rule, at the bottom of the conservancy of the wealth of the villages which ensured agricultural prosperity. In these days, however, not only is there a periodical enhancement of revenue, but there are many other calls made on the owner of land. He has to pay road cess, irrigation cess, grazing fees, besides indirect taxes. Each of these levies may be justifiable, but

the net result of all is that the *owner of land is more profusely bled than any other individual, and that is a result directly affecting the well-being of the mass of the people.* The least that can be done not only for the good of the agriculturist, but for the good of the whole country under these circumstances, is to introduce a long-period settlement for a term of ninety years at least as the first essential requisite in rehabilitating village prosperity.

It may be too late now to revive the village community; for the village community meant more than the village population. It was a socio-economic organisation, self-contained, self-governed, and self-serving. The changes that have rapidly overtaken Hindu sociology make the revival of the village community well-nigh impossible; but the revival of village autonomy is not a hopeless task, if undertaken in a spirit of unfaltering faith and with a resolute confidence in the ultimate success of the scheme. The village Panchayet must become a living reality and must be entrusted with administrative powers in the affairs of the village, without being subject to frequent interference on the part of the Taluq and district officials. The Panchayetdars may all of them be elected in big villages, may be partly elected and partly nominated in others of moderate extent, and wholly nominated in the small ones. All complaints of encroachments, all disputes between landlord and tenant, all questions relating to agricultural custom and contract, in short all claims in the nature of agricultural obligation which, computed in money value, will not exceed a certain amount, should be left to be decided by the Panchayet. The money limit may not be the same in all villages,

but may differ with each, as its size and the intelligence of its people may demand. The pecuniary limit may range from 20 to 200 Rs. All disputes before the Panchayet should be conducted by the parties themselves, or in special cases by their nominees, but not by pleaders or professional agents or Mukhtears; and there should be no appeal from the decision except on the certificate of a prescribed proportion of Panchayetdars that the matter is fit for the final consideration of the District Munsif within whose jurisdiction the village is situated. All questions relative to village sanitation, medical relief, education, grazing reserves, improved methods of cultivation, cattle preservation, and village industries, should be left to the disposal of the Panchayet.

Under each head the Panchayet may for every year frame a budget of expenditure which should be met partly from the Provincial and partly from the District Board funds, as the Government may determine, except when for special purposes it chooses to raise special contributions from the village. The Panchayets should have freedom to develop the resources of the village, and the co-operation of the District authorities and the Provincial Government should be ungrudgingly given whenever sought. The main endeavour of the Government should be not only to enable the villages to manage their own affairs so far as may be consistent with the ends of individual justice, but to place the villages themselves in a position of the greatest possible advantage as habitable parts of the country. The attractions of village life have to be restored, and it should be not only endurable but capable of affording opportunities for communal co-operation and exertion.

Then will begin a new era of rural prosperity which cannot but provide a generous contribution to the sustaining power of the vast bulk of the people, who have now to reconcile themselves to a condition of hopeless struggle. The autonomy of the Government of India and the autonomy of the Provincial Government, however complete in themselves, cannot secure that general prosperity which the autonomy of the village can secure. Political rights and privileges doubtless safeguard great interests, but can hardly ensure that prosperous state of the nation which a self-adjusting system of village organisation can bring about. It is a mistake, a serious and deplorable mistake, in an agricultural country like India, to hold that the owner of land should be deprived of his unearned increment or compelled to share it with the State besides the extra amount he will have to pay as tax on his income. That theory may prove harmless or beneficial in a preeminently industrial country, but can only prove disastrous in a purely agricultural country like India. When the landholder is in addition subjected, on account of his being a landholder, to a variety of imposts, his position becomes dreary, cheerless, and insupportable; but the cup of distress becomes full to the brim when he is, as is often the case, the first and foremost prey, if not of the principal, at least of the inferior members of the subordinate officialdom of the district, in having to bear the weight of unauthorised demands and customary exactions. Neither his heart nor his purse can be in the cultivation of his land to the best advantage, and the decadence of the village is an inevitable outcome of the losing game in which he must engage with the

Government and the money-lender, with the ever-present risks and oppressive responsibilities of cultivation, and the trying anxieties of domestic life. The landlord in India is not the landlord in England, the source of the country's wealth is not industry but agriculture; hence we must look to rural prosperity as the root of general prosperity; and the former cannot be guaranteed unless the village regains its wealth and its individuality, the fruits of its own resources and its communal autonomy with a certain measure of judicial and administrative control. Its ancient authority, its pristine perfection, the village community may not again have in its completeness; but to revive the autonomy of the village is a grave economic and political necessity, and its resources must be allowed to fertilise and enrich it.

"We know and respect," ran the Proclamation of Queen Victoria, "the feelings of attachment with which natives of India regard the lands inherited by them from their ancestors, and we desire to protect them in all rights connected therewith, subject to the equitable demands of the State; and we will that generally in framing and administering the law, due regard be paid to the ancient rights, usages, and customs of India." The periodical unsettlements; the rapid flow of title-deeds of lands "inherited from ancestors" into the hands of money-lenders, followed in a vast number of cases by the expropriation of the owners; the complete disappearance of the village autonomy—an ancient right; the restrictions on account of the Forest Reserve, which has been encroaching on the communal right as well as the communal area; the excise monopoly of the Government, which drives every labourer to empty his

slender purse in a licensed tavern which provides every possible temptation to enfeeblement and impoverishment, when according to ancient usage and custom he would have had his copious but not impoverishing, his stimulating but not ravaging, draught of sweet toddy in front of his hut and at the foot of the few palms that stood near by; and lastly, the salt monopoly, which interposes the arm of the State between the poor and the right to the salt of the sea and the salt of the uncultivable earth—all these show how much has been wanting in "due regard being paid to the ancient rights, usages, and customs of India." The Reform Scheme has not touched even the fringe of these grievances, in which the contentment of the rural classes and the economic prosperity of the whole country are deeply involved, and for remedying which political privileges alone are useless. In his despatch of October 1908 Lord Morley declared: "The village in India has been the fundamental and indestructible unit of the social system, surviving the downfall of dynasty after dynasty. I desire your Excellency-in-Council to consider the best way of carrying out a policy that would make the village a starting-point of public life." Not simply of "public life," but also of the country's prosperity, should the village become the starting-point, if progress as well as prosperity be the end in view of its rulers. This means that the Government should secure the progress as well as prosperity of the men whose interests are centred in the lands they own and cultivate; yet the owner of land in India, under the misleading appellation of "the Middleman," has remained the pet aversion of the bureaucracy. The officialdom would be glad

to see him annihilated; but since that cannot be effected, it suffers him to exist on terms which not only run counter to justice and equity, but are subversive of the permanent interests of the country as a whole. He is required to pay from 33 to 50 per cent on the income he gets out of the land, whereas the tax on other incomes averages 3 per cent. Again, whereas all incomes below a certain amount are exempt from taxation, the owner of land is denied all such consideration. It would be an economic heresy in the view of the bureaucracy to plead for such a concession in favour of a tiller of soil who is also the owner, because he is not a paid labourer, although the land he tills can bring him no more than a miserable pittance for himself and his family. His income may be just enough to ward off starvation, nevertheless he must pay his tribute to the Exchequer of the State, and thereby acknowledge the benignity of the universal landlord. The Government in India, which pretends to be the successor of all previous universal landlords, has magnanimously placed itself under a disability to forgo rack-renting such a tenant. But worse is behind. He may not get any income at all, he may have been a victim to malaria, his family may have been ravaged by small-pox, he may have been in the grip of a vexatious and prolonged litigation; but whether or not the plough touched even the fringe of his land, he must pay the *kist* of the *sirkar*, that impersonal being whose only material attribute seems to be universal landlordism. This universal landlord, in the conception of the poor man of India, is a peculiar organism; it has a capricious but capacious stomach, powerful arms and legs, and an acute brain; the only

organ it lacks as a matter of economic conviction is what is described as the human heart. A Greek priest would have shuddered at it as a beast unfit for sacrificial purposes. Yet that is the reputation which the Government in India has been strenuously building for itself by adhering through thick and thin to the theory of State landlordism.

The result of the land revenue policy of the Government is, in brief, that the owner of land is penalised for owning it. He stands virtually in a category of his own, being reduced to the plight of a person who has, when he gets no income, to pay a poll-tax and a few auxiliary taxes as well. He has to pay a road cess, a percolation cess, and sometimes a railway cess (if the District Board vote for it); and, besides the authorised cesses, he has to pay customary dues, and bear the expense of the enforced hospitality he has to extend at the *Jamabandy*, the annual visitation of the revenue authorities for settling all outstanding claims of the State, and for bringing up to date the revenue ledger of the village. The worst, however, has yet to be told; if he insure against drought by sinking a number of wells at his own expense, he has in some provinces to pay an irrigation cess. According to a recent admission of the Member for Land Revenue and Agriculture, the State gets an annual revenue of a million sterling by taxing the irrigation improvements carried out at the expense of the owner. The theory is that the State has a right to share in the probable profit the owner may derive by the improvements he makes. This was justified by the civilian Revenue Member of the Government of India, as an "immemorial right" of the State, as though

the British Government has stood by and respected all immemorial rights and not done away with them whenever it suited its purpose. The apotheosis of State landlordism cannot go further in India, but the reputation for exaction that the Government has built up is one no mortal man would envy. The worst result of such a system of land revenue administration lies of course not in fear of any revolt of the peasantry, or of any seditious propaganda by the landed classes. It lies far deeper, and will be more formidable when it comes to assert itself; it will then manifest itself almost as the avenging hand of Providence. The rich neglect the poor, and the poor neglect the laws of health and hygiene; and the epidemic which is only the frown of Providence refuses to differentiate between the rich and the poor. So also when a Government neglects the natural sources of a country's prosperity, and sins in a spirit of economic sophistry against the obvious dictates of fair play, relying on the inapplicable analogies furnished by other countries, the natural consequences of such a policy cannot be arrested by all the authority of the State. It is the play of these consequences, which few people comprehend, that is really at the bottom of the feeling, now becoming dangerously prevalent, that the country has had enough of British rule. Except the few who are rich, almost every man, woman, and child feels the burden of life insupportable. The cause of this feeling lies in the fact that the country's resources have been drawn upon and utilised in a manner that systematically exhausts the source of supply without replenishing it. Will it be a strange phenomenon under these conditions if an economic Nemesis overtake the people in the first instance

and react on the Government in the next? If all the industries in Great Britain were taxed on the principle of the universal proprietorship of the State; the Government enforcing the right to share in the profits of industry as rigorously as it does in regard to returns from land in India; spending a large portion of the income for the upkeep of an equally costly *foreign* service, including the payment of annuities; utilising the balance for the good of far-away rural areas, and reserving a particularly inadequate dole for the special benefit of the industrial centres; the British public may possibly imagine what discontent and distress would confront such a Government, however strong and powerful it might be. The difference in India is that the agricultural classes are more docile than the industrial classes in England; but that difference is compensated by the fact that the starvation of the rural population of all grades must inevitably mean that of all but the very rich.

The theory of State landlordism has had its unimpeded trial, and now a process of escaping from the legacy which it has bequeathed must be devised, not as a concession to any political party, but as the result of that experience which, directed by the deepest feelings of sympathy, we must call to our aid in spite of economic sophistry and historical misconception. Before the problem of hunger, of perpetual hunger, can be solved in India, the autonomy of the village must be restored, the landlord or "the Middleman," as the bureaucracy in a strain of unaccountable jealousy and aversion persist in terming him, must cease to be an object of steady and systematic economic persecution. The assessment

must be fixed for a long term to allow the middleman to thrive for the good of the community, and lastly, as a measure of supreme national importance, the proprietor of small holdings, who is also the cultivator of his own field and whose income does not exceed a small annual amount, say 300 Rs. a year, should be totally exempt from payment of revenue. The result of these generous reforms will be not solely to benefit the agricultural classes, but to revive that rural prosperity which is at the root of the prosperity of the whole realm, the gradual disappearance of which amidst much meretricious progress has been the inevitable consequence of the steady diminution of the former. It is not only "public life," as Lord Morley has pointed out, but public *prosperity* also which in India must originate from the village, and towards such an end Indian officialdom must be directed by discerning British statesmen.

PART III
AUXILIARY

CHAPTER XII

THE PUBLIC SERVICE

SECTION I

The Tribute of a Governing Caste

A TREATISE on Indian Autonomy can hardly be complete without an examination of the organisation of the Public Service and its effects on the material prosperity and general advancement of the country. This is especially necessary as regards India, where the people not only do not govern themselves, but are under the domination of a foreign power, and where the Public Service plays an all-engrossing part. The personnel of the service and the methods of recruitment are of paramount importance, and cannot but invite both criticism and suggestion. Although the scheme of this treatise does not permit entering into detailed consideration of the cadre and recruitment of the several branches of the administration, we cannot avoid examining at some length the basic principles on which the organisation of the Public Service rests. In doing so we shall, at the very outset, frankly accept what India owes to successive generations of Anglo-Indian officials whose industry and ability have evolved order out of chaos in a manner to which history hardly furnishes a parallel. They

have systematised the work of administration in a way which in itself has been a moral inspiration and a political revelation to the people of this country, and has besides operated as a unifying factor of inestimable value in a land of countless differences. In promoting national aspirations, in familiarising the people with civic ideas and responsibilities, in engendering political ambitions, the system and method displayed in the administration of the country have been the most powerful factors, next only in importance to the effects of education on Western lines. The indirect effects of British administration in India have been of far greater consequence in all that concerns the moral advancement and political aspiration of the people than is generally understood. It should be borne in mind that never in its hoary past, in the days of its epic grandeur, in the glorious times of the empire of Asoka, or in the proudest and most prosperous hour of Mughal rule, was there a period, however brief, when the whole country from the tropic regions of eternal snow to the southernmost extremity of the peninsula was under such a uniform reign of law as it has been under British supremacy. The patient and unceasing effort which such splendid power of organisation throughout so vast and diversified an area implies is a moral achievement without an analogous instance, and may be justly regarded as an accomplishment of which humanity may be proud. Where there were pillage and plunder, rapine and slaughter, no security of life, religion, or property, and perpetual fear of molestation, there have been installed for decades past safety, freedom, and readily available legal processes. The conscience of man forbids the idea of damning with faint praise so stupendous and

striking a transformation, or treating it as a change that England needs must have brought about in her own interest. One may as well hold that the man who saves another in the grip of despotism, destitution, and disease is bound to act as a saviour for his own gratification. According to such a notion the good man is bound to be good and the bad man is equally bound to be bad, and there is no merit in being either good or bad. Such a travesty of political criticism is a stigma on the idea of patriotism, and is no less than a wanton abandonment to intellectual perversity. At the same time, it does not call for any profound intellectual grasp to realise that British rule in India has constantly to adapt itself to changed conditions, and that the ideal that held good half a century back may have to be dismissed to-day with a summary conviction of its utter incompatibility with the altered conditions of the present. It has been often pointed out that the test, not merely of statesmanship but of efficient life, of life which can grow and expand and progress, is its capacity of adaptation to fresh conditions and to new environments. That test has for some time now been applied to British rule in India. It is on the successful emergence from that test that the future of political cordiality between India and England will largely depend. In two respects that test must be met: firstly, in regard to the absolute exclusion of all racial disabilities in the government of the country; and secondly, in regard to the reconstitution of the Public Service of India on lines called forth by the actual needs of the country, and not on lines which furnish a variety of openings to persons of British descent. From the very beginning of British ascendancy in India there was available

in every part of the country the willing co-operation of Indians of marked political and administrative aptitude, who recognised in the authority of the East India Company a providential termination of the chronic strife and the endless turmoil to which the country had been subject. At every subsequent stage it was the readiness and thoroughness with which Indians of all grades everywhere laboured for the cause of British authority that led to its advancement and permanence. To-day the contribution of the Indian element in every branch of the administration is as striking a feature of British rule as anything else. Unless one is determined to ignore the value of the British spirit of organisation and method, or the value of the initiative and co-operation of Indians, one cannot treat with contempt either the British or the Indian element in the administration of the country. To give full and free play to both of them, having close and unfailing regard to the economic interest of the governed, is the proper method of dealing with the problems that recruitment to the services naturally produces.

The theory of the inherent inferiority of the Indian has been fully exploited, avowedly and unavowedly, in the open highways as well as in the concealed bypaths of Indian administration. Reserved areas for the exclusive occupation of the Briton have been maintained with no semblance of justification, and where the work and responsibility are equally and identically onerous, the pay and consequently the status of the Indian have been by law and regulation subordinated in a manner that cannot but rankle in the mind of any self-respecting

person. Indians have been debarred from appearing for certain qualifying examinations, simply because they are Indians. The exclusive holding of some tests in England has had the practical effect of shutting out a very large number of capable Indians from the superior ranks of other departments. The throwing open of half a dozen high-placed appointments to the natives of the country cannot allay the embitterment of feeling which has possessed them for too long a period now. If the absence of a rational and righteous principle in regard to so important a matter cannot be too much deplored, the half-heartedness with which responsible and patriotic men in England have chosen to approach this question makes one almost despair of British insight and intelligence. What has indued the British Government in India with the unprecedented strength and solidarity which it has always commanded is the fact that in a land of numerous differences, that Government alone has, more than any other, respected the principle of equality in the eye of the law. This comparative merit of British rule has, however, been undermined by the reservations made on behalf of Anglo-Indian officials and non-officials. Every Indian now believes that, individual merit and demerit apart, there is no racial inferiority and superiority for purposes of administrative work except what the law and policy of the Government may choose to invent. The continuance of a policy of differentiation on the ground of colour and race is fraught with no little danger, especially after the repeated protestations and solemn disavowals made. To make a man's birth a barrier when he can satisfy the legitimate requirements of an office is to punish him for his parentage ; and to despise

a man's parentage and to permit it to come between him and his deserts is to have the foundations of racial discontent deep and well-laid. A lasting connection between Great Britain and India is possible only on one condition, which the British nation has recognised again and again, and has solemnly undertaken to observe, but which the governing British caste in India has evaded time and again. That condition is that IN OUR OWN LAND OUR BIRTH SHALL NOT BE A DISQUALIFICATION. It is a matter of comparatively secondary importance what our status may be decreed to be in other countries within and beyond the British Empire. It may even be that, during all the time that Great Britain has control of the destinies of India, it may not once be governed quite exclusively in its own interests as is the right of every self-governing colony; but no Indian can reconcile himself to his country's being governed to the positive detriment at once of his interests and of his self-esteem, both at home and abroad.

Recognising the inestimable benefits of British rule, the people of India have all along been prepared to share with their fellow-subjects of Great Britain all the opportunities which the administration of the country and the development of its resources naturally involve. But to go further and demand that we shall labour under disabilities because we are of our own country and are not of the race of the British is, notwithstanding the contrary testimony of the few Indian sycophants of the Civil Service, to make an impossible demand. Because she could not govern herself without having recourse to a policy of differentiation on account of birth and religion, India had to come under the sway of

Great Britain. If Great Britain cannot do what we were unable to do, the reason of the British occupation of the country disappears. The substratum of British rule in India is that it is a rule pledged to mete out equal opportunities and equal justice to all. It has fulfilled the pledge with no little success so far as the relations between the races of the natives of the country are concerned, but in apportioning opportunities between the British and the peoples of India it has often violated the pledge and employed one measure in dealing with the Indian and quite a different and a more generous measure in dealing with the Briton. The times have so changed that this differential treatment could not but inspire in the Indian mind a feeling of legitimate discontent, and the very foundations of British supremacy have consequently been weakened. The interests at stake are of such a vital and far-reaching character that it will be nothing less than political imbecility to treat the subject with supercilious unconcern, and nothing less than a political crime to mislead the British public as to its gravity and possibilities. Providence has not ordained the Indo-British connection for the paltry purpose of creating a governing guild and a ruling caste with special privileges and exemptions. All that such a connection stands for, and all that it implies in the future, has too great a significance for both countries and the cause of higher civilisation to be sacrificed on the altar of petty racial bias. The silent assumption that India is a land of differences, and that the recognition of a ruling caste with privileges and exemptions of its own is therefore in the natural fitness of things there, is one that will guide the vessel of

Empire to the very rocks on which every ship of state has been wrecked in the past. It is by listening to this siren voice of evil counsel that every one at the helm of Indian destiny has come to grief in the history of India. It may be true to some extent to hold that India will be the prize of the Power that has the command of the sea, but it is truer still that she will remain in the possession of the country which, rising above the promptings of self-aggrandisement, holds aloft the sceptre of a sovereign before whom all are equal subjects with equal rights to the same opportunities.

The supreme test of self-denial is the test that, consistently throughout her history, India has employed in the case of every successive suitor. The Indo-Aryan, who was, in the days of his glory, great in arms, formidable in his intellectual grasp, obstinate in his questionings of objective nature and the great Reality behind it, who, as a conqueror and governor, ever strove to bring about a fusion of sentiments and civilisations, fell a prey to his spirit of exclusiveness and sense of detachment—and this not only enslaved him but condemned his political greatness to decay. The Semitic conquerors of India, whose sinewy arms and fiery zeal and cohesive personality were the greatest assets that any conquering community can desire, lost hold of the empire they had built by consigning their achievements to the flame of religious bigotry and the passion for communal preference. Racial bias, as a working factor in the government of millions of people, has nothing more to commend it to the acceptance of statesmen than religious bias. To disregard in the case of India the fundamental need of equal laws and equal opportunities is to

surrender the very title-deeds of empire and to enter a plea of inability to comply with the paramount condition of over-lordship. A true and unerring comprehension of Indian history ought to warn the British rulers of India that, in a land of differences, that Government alone will be stable which makes no difference between man and man as such, but only between competence and incompetence, between legality and illegality. If the British rulers of India cannot surpass their predecessors in grasping this crucial fact of Indian government, they cannot expect their empire in India to be *fundamentally* different from that of their predecessors, however much better it may be comparatively in other respects. On the other hand, being foreigners, they may fare worse, being essentially no better. It will therefore be a fatal self-delusion to believe that, in a land of differences, the British Government can afford to make differences between men of British and Indian descent. Excuses of little intrinsic value have often been advanced for justifying differences in the pay, prospects, and status of Indians and Europeans in the Public Service. One reason usually assigned is that the standard of living of the Englishman in India is higher than that of the Indian, and that the former has to incur expenditure on account of having to bring up his children in England. But if the standard of living is higher in the case of Englishmen, the standard of the domestic and social obligations of Indians is far higher than that of Englishmen; at the same time the standard of living of Indians has also considerably risen of late, the people of India being indebted for this to the influence of Western ideas and the introduction of articles of Western manufacture.

An Englishman lives for himself, his wife and children; whereas an Indian lives not only for his wife and children but for his parents, his brothers and sisters, and for a host of relatives whose children he feeds, clothes, and educates, and the expense of whose marriages he very often undertakes. An Indian in fact lives least and last of all for himself. Such a system of life may or may not be worthy of approval; there is no reason for carping if it be another's ideal of domestic responsibility, any more than we can question an Englishman's standard of living; but we cannot ignore it when taking into account the cost of living, if cost of living could ever be relevant. Indians in increasing numbers are also beginning to educate their children abroad, and, taking everything into consideration, an Indian finds it more difficult to make both ends meet and satisfy his domestic obligations, the demands made on his position and dignity, and the conveniences which a strenuous official life requires. It is this fact that has made differentiation between Indians and Englishmen more galling than it would have been if a mere sense of self-respect alone underlay the discontent. That intense dissatisfaction has in fact both a material basis and a moral justification.

If it be absurd to attribute racial inferiority to Indians on the score of their peculiar racial characteristics, if it be more absurd to deduce from such alleged inferiority any justification for excluding Indians theoretically or practically from any branch of the Public Service, if the plea that disabilities and differences fit in with the Indian view of things be a totally erroneous reading of the drift of Indian history, the declared policy of British rule in India

is clearly opposed to differentiation on the score of racial distinction.

The era of progressive statesmanship in the government of India may be said to have begun with the passing of the Charter Act of 1833, which terminated the trading functions of the East India Company and reformed the Government of India as a trust of the British Crown. That is the starting-point of the Government of India as an organisation purely political in character, conducted on behalf of the British Crown and Parliament in conformity with unblemished political and ethical conceptions. The Act itself was the outcome of one of the choicest periods of British history, and as a foundation of political supremacy over a foreign country, deserves to be regarded as the highest and wisest exposition of statecraft. It was the handiwork of men who belonged to an age when political ideals took precedence of political expediency, when political duty weighed more with those who had the conduct of affairs than political makeshift. After enacting provisions for the winding up of the concerns of the Company as a trading corporation, for the better government of the country, for the codification of laws, and the administration of justice, it enunciated what was to be the basic principle of British rule in India. It was provided by section 87 of that Act that "No native of the said territories nor any natural born subject of His Majesty resident therein shall by reason of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the Company." British ministers and Indian politicians have frequently referred to this section, but the full range of

that clause will become clear only if we refer to the perspicuous despatch of the Board of Directors which they forwarded along with the Act to the Government of India. The wording of the section itself is beyond all possibility of perversion, and not even the most self-confident politician of our times can hope to distort its plain meaning. Religion, place of birth, descent, colour, or any of them shall not disable any native or natural born subject of His Majesty from holding any place, office, or employment under the Company. This section has not been abrogated by any of the succeeding enactments, and is therefore still in force, but has yet to be enforced in its full significance. If any proconsul of the day had objected to the insertion of this clause as detracting from the prestige of the ruling race, the objection would have been spontaneously dismissed, as making an infamous suggestion which wholly trespassed on the political morality of the age. Had any official on behalf of the Board of Directors sought to put a gloss on the section in communicating it to the Government of India, his presumption as well as political ineptitude would scarcely have been tolerated for the space of a week. For we have only to refer to the despatch of the Court of Directors to realise the importance which they attached to it politically, and the unreserved sincerity with which they sought to impress the Government of India that both Parliament and the Court of Directors fully meant what they said. They designated the subject-matter of the clause as "of the greatest moment, although not strictly of a legislative or superintending character." Nor did they look upon it as a provision intended to do credit to their sense of political justice, to remain an honour-

able feature of the Statute Book, a serviceable testimonial to national vanity, and no more than a flattering promise to the ear of the governed. The very reference to this section is preceded by the observation "that this important enactment should be understood in order that its *full spirit and intention may be transferred through our whole system of administration.*" It was not, in the considered opinion of the Court of Directors, for the purpose of being honoured in the breach that Parliament enacted it. They both were convinced that it could and should be fully observed in every branch of service. Nor did they seek to conceal from themselves or others the real nature of the provision. "You will observe," they wrote, "*that its object is not to ascertain qualification but to remove disqualification.*" They further thought it necessary to explain what they meant by the phrase "remove disqualification." Removing disqualification by reason of race and descent on one side necessarily meant abolishing all monopoly on the score of race and descent on the other side. The Court of Directors did not for a moment shrink from the fullest and frankest acceptance of such a logical consequence, and enlarged on the significance of the section as follows: "*The meaning of the enactment we take to be that there shall be no governing caste in British India, that whatever other tests of qualification may be adopted, distinctions of race or religion shall not be of the number; that no subject of the King, whether of Indian, British, or mixed descent, shall be excluded either from the posts usually conferred on our uncovenanted servants in India or from the covenanted service itself, provided he be otherwise eligible consistently with the rules and agreeably to the conditions*

observed and exacted in the one case and the other." No spokesman of any Indian political organisation, no radical member of Parliament has used stronger or plainer language in regard to the policy that ought to guide recruitment to the services of India. And yet, after the lapse of eighty years, there are Anglo-Indian worthies to-day clamouring for the perpetuation of a governing caste with an exclusive charter of monopoly, exemptions, and privileges. To them the mantle of Manu and the robe of Aurangzeb have an inexplicable fascination, quite incompatible with the robust and manly sense of self-respect of the race to which they belong, and the dictates of justice and expediency as understood by their countrymen of eighty years ago. "*Whatever* OTHER *tests of qualification may be adopted, distinctions of race or religion shall not be of the number.*" How direct and unmistakable the mandate! The advocates of the racial inferiority of Indians seem to have been taken in hand even then, and their plea fully and unmistakably understood and put out of court with no kind of express or implied reservation. Addressing the Government of India, the Court of Directors said, "You well know, and indeed have in some important respects carried into effect, our desire that natives should be admitted to places of trust as freely and extensively as a regard for the due discharge of the functions attached to such places will permit. Even judicial duties of magnitude and importance are now confided to their hands; partly no doubt from considerations of economy, but partly also on the principles of a liberal and comprehensive policy; *still a line of demarcation to some extent in exclusion has been maintained*; certain offices are appropriated

to them, from certain others they are debarred—not because these latter belong to the covenanted Service, and the former do not belong to it, but professedly on the ground that the average amount of native qualifications can be presumed only to rise to a certain limit. *It is this line of demarcation which the present enactment obliterates or rather for which it substitutes another*, wholly irrespective of the distinction of races. *Fitness is henceforth to be the criterion of eligibility.*" The sum and substance of the above is that not only was fitness to be the criterion of eligibility, *but there was to be no presumption as to the maximum limit of fitness that might be possessed by men of Indian or mixed descent.* The Court of Directors in enforcing this train of thought went a step further. They were not only convinced of the fitness of Indians, just as they were of the fitness of Europeans, but they enjoined upon the Government of India the establishment of institutions whose function it would be to impart to Indian youths the education and culture which would enable them to compete on *equal* terms with the European candidates for office, who enjoyed the benefits of such institutions in their own country. They drew the attention of the Government of India to this aspect of this question in the following words: "While on the one hand it may be anticipated that the range of public situations accessible to the natives and mixed races will gradually be enlarged, it is on the other hand to be recollected that, as settlers from Europe find their way into the country, this class of persons will probably furnish candidates for those very situations to which the natives and mixed race will have admittance. Men of European enterprise and education will appear in

the field; and it is by the prospect of this event that we are led particularly to impress the lesson already alluded to on your attention. *In every view it is important that the indigenous people or those among them who by their habits, character, or position may be induced to aspire to office, should, as far as possible, be qualified to meet their European competitors.* Thence there arises a powerful argument for the promotion of every design tending to the improvement of the natives, whether by conferring on them the advantages of civilisation or by diffusing among them the treasures of science, knowledge, and moral culture." The Court of Directors, instead of postulating the racial inferiority of the Indians as an article of faith, declared in the first place that there was no justification for maintaining a line of demarcation between the natives of India and the natives of Europe as to the presumptive capacity of each race. In the next place, and as a consequence, they repudiated alike the justice and the expediency of making provision for "A GOVERNING CASTE." Thirdly, to effectuate their convictions in regard to what they declared "a matter of the greatest moment," they urged the "promotion of *every design* tending to the improvement of the natives." By the side of such an enunciation of the policy of British rule in India at the very moment when it was by statute constituted a trust for the Crown, it is both immoral and impolitic in the highest degree, after a lapse of eighty years, to press for the continuance of racial disabilities against Indians, as a political creed, or to delay the total removal of all racial barriers in the government of the country.

When we reach the next great stage at which the

principles of Indian Government were affirmed once again, we come to the assumption of the government of the country by the Crown of England. Although the immediate cause of that event was the Mutiny, it is needless to labour at great length the inference that all influences were clearly in favour of the transfer of India to the direct control of the Crown, and of the abolition of the government of the country by a corporation. Nail after nail had been driven into the coffin of the Company's political and sovereign rights, till at last, nearly four years before the Mutiny, even its right of patronage was taken away from the Court of Directors. That sanguinary outbreak only precipitated what was bound to follow so far as the assumption of direct control of Indian territories by the Crown of England was concerned. Is it to be presumed that any statute enacted or proclamation issued in 1858 would have rendered nugatory privileges conceded a quarter of a century before, when India was declared a trust of the Crown? The principle of equality of treatment promised in the proclamation of Queen Victoria, as the first sovereign ruler of India, was merely a solemn reiteration of the principle enunciated in the Charter of 1833. It was merely pledging the faith of a Sovereign to what Parliament and the British Constitution had already conceded as a statutory right. The very first promise to the peoples of India is, "We hold ourselves bound to the natives of Indian territories by the same obligations of duty which bind us to all our other subjects, and those obligations by the blessing of Almighty God we shall faithfully and conscientiously fill." England does not lie under one kind of obligation to Englishmen and under

another kind of obligation to Indians. England, at any rate, has forbidden herself to subordinate the interests of Indians to those of Englishmen, whatever Anglo-India may hold to the contrary. In particular regard to offices under the Crown, Queen Victoria stated in her proclamation, "It is our further will that so far as may be, our subjects of whatever race or creed be freely and impartially admitted to offices in our service, the duties of which they may be qualified by their education, ability, and integrity duly to discharge." A notable but most humiliating attempt was once made by the last of the Viceroys of Queen Victoria to distort the plain meaning of this clause by reading into it a warrant for the maintenance of racial differences in the admission to higher offices. Since, however, Lord Morley in his capacity as the responsible Minister for Indian affairs has definitely and unequivocally repudiated that perverse and perverted interpretation, it is needless for us to discuss the wholly untenable and utterly ridiculous part that Lord Curzon deigned to play in a matter of utmost importance to the interests of the British Empire. We are bound to state that in nothing else that he did or said was the brilliant ex-Viceroy guilty of such reckless disservice to the cause of the Empire as on that occasion. He caused a serious diminution in the faith of India in British rectitude and British regard for the pledge of a Sovereign given on her accession to the Sovereignty of India. It was not until Lord Curzon sought to repudiate the full force of the proclamation and to deprive it of the very significance which India had passionately attached to it for half a century, that she came to feel humiliated and

crestfallen for all the trust she had implicitly placed in the words of her first great Sovereign. But Lord Curzon's folly, except for the disservice that he rendered, deserves to be ignored in any reference to the proclamation of Queen Victoria. Although as a sober fact it has not given the people of India anything more than the Act of 1833 gave, and has not laid any greater emphasis on our claims than the Despatch of the Court of Directors did, its profound importance in the eyes of Indians has been due to the reverence in which this country holds the promises and pledges of a Sovereign. The proclamation has consecrated the statute of Parliament and the guarantees of the Court of Directors. The British nation stands pledged by the act of its Supreme Legislature and the word of its Sovereign to remove every vestige of disqualification on the ground of descent, and to afford equal opportunities to the peoples of India to prove their fitness for entering every section of the public service of the country. To persist in an attitude of sullen or active antagonism to so deliberate and solemn a pledge is to be politically fatuous, and indeed immoral to an extraordinary extent. It is wilfully to undermine the faith of the governed in the honesty of purpose not of a band of official mandarins, but of the very nation which secures to the sway of its Sovereign an Empire the like of which no emperor has ruled over in the past. Nor can the official hierarchy concerned be judge of the situation in so momentous a question ; it cannot even be a competent witness, being in fact the party against whom judgment long ago delivered has been awaiting execution. It must therefore be obvious to every one who can think without bias that it

is useless to expect judgment to be executed with the consent of the party affected. The British nation cannot continue to ignore the want of policy in leaving things as they are, until its hands are forced by a widespread agitation which, however legitimate in its object, and however loyal in its outlook, cannot but intensify the sense of injustice which is already sufficiently keen in the country.

The first reform necessary as regards the services is an absolute removal of all racial disabilities in any branch of the civil administration of the country. Although the holding of the Civil Service Examination simultaneously in England and India has attracted greater attention, still it is a question of secondary importance compared with the total exclusion of Indians from certain branches of the Public Service. There is no racial bar as regards the Civil Service, but its scheme has operated against the interests of Indians, and has contributed to an economic loss. In the case of the other branches, they have not only adversely affected our economic interests, but have violated both the letter and the spirit of the statutes and proclamations which guarantee to every Indian freedom from disqualification on the ground of his parentage. It is one thing to hold a qualifying or a competitive examination in England or India only, or in England and India simultaneously; it is an entirely different thing to confine such an examination to British candidates or to man any branch of the Public Service exclusively with a staff of British race. For instance, to provide that no Indian should be eligible for the Police Examination held in England, or that the Indian Educational Service should be reserved to Europeans, is a plan that can

hardly be condemned in measured language. All such disabilities must be banished from the realms of Indian administration by a stroke of the pen.

On turning to the framework of administration, the first criticism to be offered is that every department has been so organised as to furnish an avenue of employment to Europeans on a handsome scale of pay and pension, regardless of the burden of the tax-payer and the needs of the country. If India has to pay a tribute to England, let it be levied in a manner just and equitable to both without impairing the rights, interests, and self-respect of the natives of India. By all means let them be asked to contribute to the Imperial expenditure on the Navy, and let this contribution go towards a reduction *to some small extent at least of the burden of taxation of the* ENTIRE *British nation.* Indian loyalty is such that India will be proud to render unto Cæsar what is Cæsar's; she cannot but feel unhappy and aggrieved if she is asked to bear the white man's burden when he chooses to load her with all the paraphernalia of rules and regulations, codes and covenants, designed for the perpetuation of a governing caste. Let India be governed honestly and sincerely in her own interests, and she will not only be prepared to pay the price for this, but to reward the service with her whole heart and strength as no self-governing colony can bring itself to do. If the position of India is such as at times to excite pity, at times contempt, at times an arrogant disregard of her protests and appeals, India is for all that a country which, if rightly understood and properly served, will be an unfailing storehouse of power and strength for the nation that has the possession of her heart and hand. Among

the countries of the world she is the priceless divine Cow of the *Puranic* lore which could satisfy every longing of the heart, and whose original home was in the abode of the gods; she is the divine tree of legendary tradition, to sit under which and wish is to have the wish fulfilled. What Great Britain and every previous ruling power has tried to extract from her is as nothing when compared with what she can give out of the abundance of a full heart. Let the British nation, let even the Civil Service, which can at times think unselfishly, consider in all seriousness whether it is not nobler and more profitable in the long run for both nations to exact the tribute of India in a form honourable to both and not calculated to dwarf Indian manhood, blunt Indian susceptibilities, and furnish cause for perpetual antagonisms and antipathies. The payment for protection is not half as vicious in its nature or effect as the imposition of the burden of a governing race *on the soil of the country*, and a monopoly of places of power and authority to the prejudice and exclusion of the children of the land. This monopoly can neither cement the bonds of mutual esteem and trust, nor benefit the entire British nation. So long as India has to employ such a large number of well-paid Britons, it will not only be false to aver that Great Britain rules over foreign countries without exacting a tribute, but nearer the truth to affirm that so far as India is concerned, she exacts it in a highly odious and grossly injurious form, which does not benefit the governing country as a whole, and makes the governed poorer in many ways, not financially alone.

We deduce, then, two principles which should be

the foundation of the administration of India : firstly, the absolute and entire abolition of all racial disability ; and secondly, the fashioning of the services in regard to pay, prospects, and pension so as to meet the actual needs of the country, and not so as to furnish a selection of offices and openings for men of British birth. We do not mean to say that the latter change can be accomplished in a moment, although the former can be and ought to be ; but British statesmen and the flower of the Indian Civil Service (not that portion which is ever ready to make an unbecoming exhibition of racial bias, but the thoughtful, the spiritually inclined, the manfully patriotic section) ought to undertake a reorganisation of the services on these lines. The task is easy, but the difficulty has been for a long time in the unwillingness of England to respond to our call, in the stifling of her own political conscience.

SECTION II

The Evolution of an Indian Executive Service

A wholly wrong turn has been given to the discussion about the Civil Service Examination. On the one hand it has been made to appear that the British Government would dissolve and cease to be, were that examination held in England and India, while on the other hand, that arrangement has been sought after, as though it would be a panacea for all our ill-luck as a nation. The primary question of supreme importance to this country in regard to the Civil Service as well as the other services, however, is not whether the examination should be held in one or two countries, but

whether such a service as the Civil Service, with its present cadre and scale of pay and pension as the *exclusive higher* service of the country, is at all justifiable in the economic interests of India and from the standpoint of the future of Indian administration. It should also be borne in mind that an era of expenditure on education in all its branches, on sanitation, rural and urban, on public works, productive and unproductive, and on improved and extended road and railway communications, has already dawned. All of them demand equally earnest and equally prompt attention although the allotments made in each case may differ. A cumbrous administration combined with an excessively costly system of military defence has for a long time prevented a sufficient provision for these purposes. The taxation of the country, especially that imposed on all incomes and more particularly on incomes of temporarily settled lands, has reached the breaking point. Under such conditions the primary consideration should be to ease the burden of administration by reorganising the services in a manner that will effect substantial economy without impairing efficiency. This is possible only by a considerably larger employment of qualified Indian agents in the higher branches of administration. It will be easily realised that such a change can hardly be accomplished by merely holding the Civil Service Examination simultaneously in England and India. Although we consider on the highest political and economical grounds that no difference in point of pay should be made between a European and an Indian when the office filled is the same, still there can be no manner of objection to an Indian Executive Service organised on

principles that will effect economy and retrenchment, and at the same time throw open to the natives of the country a large field of employment in the higher ranks of the Public Service. There are a few propositions that can be confidently laid down in this connection which may be expected to find acceptance in all quarters, except the extremist sections of Indians and Europeans. These are, firstly, that the bulk of the places in the higher ranks of the Public Service should be reorganised so as to effect a substantial saving to the Treasury consistent with the employment, irrespective of racial considerations, of efficient and honest men; secondly, that the system of appointment should be such as to allow competent natives to gain admission without being called upon to face unusual risks for the mere chance of it; and thirdly, that in effecting these two reforms regard should be had to the fact that India is not yet in a position entirely to dispense with all such provisions as are intended to secure a certain proportion of the British and the "British-trained Indian element" in the controlling staff of the Public Service. All of these propositions, although of necessity they are stated seriatim, are of equal importance in intrinsic value. Any scheme that secures these requirements may nevertheless be open to objections on other grounds, but one which satisfies them in the main will be preferable, notwithstanding such objections, to another that lacks this essential element.

The scheme that will best serve such a purpose will divide the Public Service of India into two main classes: (1) the technical, and (2) the general and administrative. The higher staff of all the departments

of a technical character such as the medical, public works, forest, and educational, which require expert knowledge, should be recruited by Europeans or Indians with European qualifications who have passed a qualifying or competitive examination in England, or by distinguished Europeans in any of the above branches for temporary periods on special terms. Indians with special aptitude for any of these departments as shown by their collegiate qualification in India should be enabled by a fairly large number of scholarships to go to Western countries to acquire the necessary higher training. At the same time the educational institutions in India in these branches should be continually improved so as to dispense in course of time with any need for recruitment in England. The subordinate ranks of these services should be recruited partly by nomination from among candidates passing a qualifying or competitive examination in this country, and partly by the promotion of competent men from the lower ranks of the Service, no difference being made in point of pay and pension between these two classes of the Subordinate Service. A certain percentage of the places reserved for men of British training should be kept open for highly competent members of the Subordinate Service.

The general and administrative branches fall naturally under two divisions, judicial and executive. The judicial comprehends the entire province of administration of justice on the civil and criminal side, while all offices other than judicial and technical will come under Executive, which under the proposed scheme will consist of two services, the Indian Civil and the Indian Executive. The judicial

should be placed entirely under the authority of the High Court, and the recruitment to it should be partly from among the members of the Bar directly, partly from among the members of the Subordinate Judicial Service, and partly from among the members of the Executive Service who may have aptitude for judicial work. Judicial officers of the same branch must draw the same salary, although in regard to annuities they may fall under different classifications according to the conditions of recruitment. With regard to the Executive Service the most desirable course would be to amalgamate the administrative staff of all sections of the Revenue, Police, and Excise departments, and include in the cadre of the Service all places which carry a monthly salary of Rs. 400 and upwards. Any place in these departments which carries such pay will belong to a member of the Indian Executive Service, unless it is held by a member of the Indian Civil Service—the total number of all such places should be equally divided between the members of the Indian Executive and Indian Civil Services. The scale of pay of the Indian Executive Service should be from Rs. 400 to Rs. 1600, and its members should be entitled to a pension of Rs. 600 after an active service of twenty-four years. This would only include privilege leave for a maximum period of two years (which should be permitted to accumulate for six months at a time) and exclude all other kinds of leave. Furlough for a total term of two years on half pay, and leave on medical certificate on such terms as may be determined, should be excluded from the term of active service. The recruitment for the Indian Executive Service should be made entirely in India and confined to natives

of the country of pure or mixed descent. Appointments should be made only after a competitive examination conducted by the Civil Service Commissioners (in England), provision being made for one of them to come out to India annually for purposes of the examination. This should be held only at Bombay under the direct supervision of the Home Secretary to the Government of India and the Civil Service Commissioner. The standard of the examination should not be below the M.A. examination of any Indian University, and regard should be had to the conditions of Indian education. Only graduates of Indian or British Universities, of a good physique and character, not below twenty-two and not above twenty-five years of age, should be eligible, and should not be allowed to compete on more than two occasions. With regard to the field of employment all branches of land revenue and administration, police and excise, and a certain proportion of places in the higher ranks of the judicial department, should be open to the members of the Indian Executive Service. They should be posted as the exigencies of the Public Service may demand, although usually natives of one province will not be posted to another, as a knowledge of the people, customs, and language will be of advantage to them in the execution of their duties. Confirmation in their appointments should depend upon their passing all the necessary tests within a period of three years. A member of this Service would be entitled to retire on being qualified for full pension or on the completion of three years thereafter, beyond which no extension should be available, provided always that no extension would

be available in any case after his sixtieth year. Invalid and proportionate pensions should be allowed on the same terms to the Indian Civil and Executive Services. Every member in the Indian Executive Service should be guaranteed to rise up to Rs. 1200 within a certain time, and the periodical increment to the salary should be regulated accordingly by the device of posting a member to an office carrying his particular grade of pay in any of the branches open to him, with due provision for retaining in any particular branch those who have a marked aptitude for it without prejudice to their emoluments. The financial department may continue to be recruited as at present, except that the Secretary of State should have in his patronage more nominations for Indians only.

The proposal to distribute the more highly-paid offices in the police department between the members of the Indian Executive and Civil Services calls for a word of justification. From the very beginning the superior ranks of the Indian police have been placed within easy access of the inefficient cousins of the members of the Civil and Military Services of India, and of others who without any particular aptitude or claim have been the favoured recipients of the patronage of the India Office. The examination held in England for recruitment to the Indian police has been, in clear and deliberate violation of the statute of Parliament and the proclamation of the Queen, exclusively reserved for candidates of British parentage, with the result that the standard of that examination has been kept low, and with the more deplorable consequence that the lower ranks of the Service have escaped that supervision which

competent Indian officers alone could have exercised over them. The recent reforms as regards the admission of Indians as Deputy Superintendents of Police have not achieved and cannot achieve the necessary modicum of success until the superior staff placed over them is thoroughly overhauled and its members drawn from a much better class, intellectually and socially, than is the case at present. Unless this is done, Indians of good families and high University qualifications will continue to find it rather a trial to serve under men who are not only of a far lower calibre in every respect than the members of the Indian Civil Service, but of distinctly inferior attainments compared with themselves. It is a notorious fact that most of the European members either remain ignorant of the vernacular or pick up only a very limited knowledge of it, are led by their camp clerks, do not bring to bear on their work a necessary knowledge of the country and its affairs and a sufficiently industrious devotion to duty, and are further deficient in cultured dealing with their Indian subordinates of rank and position—all of which failings detract from an efficient and successful control of district police work. Of greater consequence is their inability, due to their social isolation, to keep themselves in touch with public opinion as to the work of the police staff and the doings of their subordinates. They are ignorant of how the subordinate police officials exercise the authority vested in them, and to what purposes they employ the large powers with which the law of the country must arm them. If a subordinate can manage to be a paragon of departmental obedience, and to ingratiate himself in some agreeable cases with

the European Superintendent, his authority becomes paramount in spite of a well-informed intermediary in the person of the Indian Deputy Superintendent of Police. One reason why the work of the police in most of the progressive native states is far superior to the work of the British Indian Police, and why the subjects of native states of fairly respectable position are to a considerable extent exempt from the *zoolum* of the police, is that the controlling heads of the department as well as the district heads are natives of the country, whom every important event reaches through a hundred channels of information. No police official can practise extortion, fathering on innocent parties any kind of serious misconduct in the detection or prevention of crime, without the head of the department and of the district coming to know of it. It is the fact that the superior officers who are natives of the country are certain to be apprised of his misdeeds that keeps the subordinate police official in the native state within bounds. In British India these conditions are wholly unknown, and the consequent fear is entirely absent. The subordinate has only to behave to the satisfaction of the superior in order to have his own way with those who are committed to his authority; and there is no method whereby that superior can know anything of his subordinate's ways and means. *It is impossible to make the European Superintendent a native of the country*, and so long as he has not those channels of obtaining information which are naturally open to the natives of the country, he must labour under a serious disadvantage, and the result of it must be to affect the *moral* of the force. Real reform of the police must therefore begin *from the top*, and

the best way of doing it is to appropriate not less than two-thirds of the higher offices to the Indian Executive Service and the other one-third to the Indian Civil Service. Provision must also be made for engaging the services of competent British police officers for temporary periods on special terms for the introduction of up-to-date methods of police work.

To turn to the Indian Civil Service, the scale of pay and pension must be retained as it is, but the total length of service should be twenty-four years, only including privilege leave for two years within the term of service counting for pension, and excluding all other kinds of leave, as proposed in the case of the Indian Executive Service. The Civil Service Examination should continue to be open to Indians and Englishmen alike, and should be held only in England under arrangements essentially identical with the present scheme. This will secure the third requirement laid down above as to the necessity of guaranteeing the inclusion of the British and British-trained Indian element in the higher ranks of the Public Service. There need be no fear that to keep this examination open to Indians, without any restriction on the number who may be admitted, will materially minimise the number of British candidates entering the Service. The formation of an Indian Executive Service almost analogous to the Indian Civil Service and of sufficient prestige and substantial prospects, will afford adequate incentive to most of the deserving aspirants in India; and of the remainder, few only will prefer the risks involved in competing for the I.C.S. If at any time there should be found sufficient grounds to warrant a belief that a limit should be placed on the number of Indians thus

entering the Service in order that a reasonable percentage of Britishers in the Service may be secured, any reasonable limitation that the circumstances then justify might be adopted. If such a time comes, instead of considering such limitation necessary, perhaps the British nation and the Civil Service itself may conclude that it is an evidence that the shrinkage of the British element in the Public Service of India need not cause uneasiness, being but a necessary consequence of British progress in India. Anyhow such a contingency need not be considered before it has arisen.

Administrators may ask whether members of the Indian Executive Service would have to be content with a maximum pay of Rs. 1600 per month, and whether none of the higher offices would be open to them. We must give an unequivocal reply in the affirmative, after a careful consideration of all the issues involved. After all we must recognise that the Public Service of a country is not the only source or even one of the best sources of enrichment for its people. The fact that India is industrially backward, coupled with the circumstance that it is governed by a foreign country and administered by a close bureaucracy, has been the primary reason for the predominant influence of the Public Service in India. It would be an evil day should the belief become prevalent that every one who could get or wished to get 3000 and 4000 rupees a month might get it out of the public coffers. Equally important is the consideration that, if such places are not reserved for the members of the Indian Civil Service, there will be absolutely no inducement for Indians of ability to compete for the Civil Service Examination, and we shall have to forgo the

benefit of having British-trained Indians in the higher ranks. Again, it may occasionally be necessary to take some of these places out of the hands of the regular "Service men," and to fill them by competent outsiders from England or by capable non-official Indians. For instance, there should be no superstitious objection to our giving the Inspector-Generalship of Police to a competent British police-officer unconnected with the Indian Civil Service, or to a distinguished Indian whose administration of the department would be certain to bring it into line with the actual needs of the community. Just as a non-official Indian has been made a member of the Executive Council, there is no reason why a competent non-official Indian should not have a departmental portfolio for a quinquennium. *As India progresses, the Service men will come to take the place they occupy in England and in every politically advanced country*; they will occupy a rank below those who, by reason of a capacity to fashion the work of a department so as to suit the public needs, will do better justice to its control than men who have aged in the work of the department, and are therefore incapacitated from bringing a fresh mind and new ideas into it.

The departure proposed above will lead to an abolition of all the "listed" places and confine the provincial service to salaries up to Rs. 400 a month. The provincial service will include—(1) in the judicial department, three grades of District Munsifs who may be invested with criminal powers also as a necessary result of the separation of judicial from Executive functions, and who may be classified under three scales of pay, Rs. 200, 300, and 400; (2) in the revenue department, three grades of Deputy Collectors or

Rs. 250, 350, and 400; (3) in the police, three grades of Deputy Superintendents on the same pay as above; and (4) in the Salt, Abkari, and separate revenue department, it will include four grades of officers on Rs. 250, 300, 350, and 400.

The task of co-ordinating the cadre of the Indian Executive Service and that of the Indian Civil Service will call for a patient handling, but no insurmountable difficulty need be expected. In certain departments, such as the Police and Excise, the proportion may be two-thirds of the Indian Executive and one-third of the Indian Civil Service; in the branches of Land Revenue and Administration below district charges, it may be in equal proportions; while in regard to district charges it may be in any suitable proportion between one-third and two-thirds, and half and half. For instance, out of 27 offices of the grade of District Collector in the Madras Presidency, 12 instead of 6 may be included in the third grade, but on a salary of Rs. 1600 only, and these 12 may go to the Indian Executive Service; out of the balance of 15, 5 may be in the first grade and 10 in the second grade, both of which may be reserved to the Indian Civil Service. In offices below the rank of district charge the division may be in equal proportions, but a uniform designation of Assistant Collector alone may be adopted. Such a system as this does not perpetuate the injustice of one salary for Indians and another for Englishmen in the same office and in the same grade, but reserves one of the grades entirely to the Indian Executive Service, and therefore cannot be considered objectionable on the above ground.

We have now to refer briefly to the proposal of a simultaneous Civil Service Examination as an

alternative solution. Our objections to it are—(1) it will not effect appreciable economy especially because of the enormous amount now most unproductively consumed in the payment of annuities on a lavishly high scale to the retired civil servants; (2) it will not open out such a large field of employment to Indians as the proposed scheme; and (3) there are practical difficulties in the way. Everybody knows that the Civil Service cadre is meant not so much for India as for the Englishmen who come out to India. Should the task of framing a scale of pay and pension be left to Indians, they will certainly not frame it on the same excessive scale as now. Therefore we do not see why, simply because we claim a larger opening for Indians, we should fall back upon a scale of emoluments so very much in excess of the actual requirements of the case. Our object should therefore be to take out of the fold of the Civil Service a substantially large number of offices which can be efficiently occupied by Indians, so as to bring about simultaneously economy in administration and greater justice to the claims of Indians. Should we simply persist in demanding that the Civil Service Examination should be held simultaneously in England and India, we should be only insisting on a perpetuation of a cumbrous and costly system of administration for the country. Again, a scheme of simultaneous examination will not result in opening out such a large field of employment to Indians as the other proposal. Those who are trained in Oxford, Cambridge, and London by expert coaches and can take up a number of languages, and have, further, the advantage, by no means slight, of the English climate, will be in an infinitely

better position. If a few of those Indians who are in the Indian Civil Service could come forward and say that they would have found a place within the required number had they prosecuted their studies and appeared for the examination only in India, there would be some ground to hope for beneficial results from a simultaneous examination; but we do not believe such a testimony is likely to be forthcoming at all. In fact it will be unfair to subject Indian and British candidates to the same competitive test under these conditions. The probabilities are that the concession will be found not much more than an apple of Sodom for a long time to come, and, during this period, we shall be in the position of those who have cut from beneath their feet the ground for demanding other concessions. The "listed" posts would be out of our hands, the simultaneous examination will not materially add to the total area of employment under Indian agency, while the burden of administration will continue to remain the same as it is. We do not deny that by dint of perseverance a few (but hardly ever more than six) Indians sitting in India may come out successful; but of what value is that compared with the gain of annexing at a sweep, to the cause of administrative economy, and for the benefit of the largest number of the most capable among the young men of India, practically half the domain now occupied by the Civil Service? Again, there are practical difficulties in the way. Apart from the impossibility of the examination being literally simultaneous, the main question is whether those Indians who get through should be compelled to undertake a stay in England as is urged by a considerable section of

public opinion. If they are to be so compelled, the justice as much as the expediency of the compulsion is open to grave question. It is one thing for a student to be required to resort to a place of examination, but it is an entirely different thing for him to be compelled to go on a semi-superstitious pilgrimage after passing the examination, merely to show that he was at least for a time in a casteless country. There is no ostensible object in requiring him to do so except that he must have emerged from the "purification" or the "pollution," as it may be regarded, of having stayed in England. There is no question but that travel is good; there is no denying that one who has not gone to the West is ignorant of a mighty type of civilisation, just as there is on the other side the fact that a European who has not set foot on Eastern soil is ignorant of a current of thought and an aspect of life which have a sublime and an awe-compelling meaning to those who come to understand them. All this is beside the question at issue. What is there to occupy an Indian who passes the Indian Civil Service Examination in India for a term of at least two years in England? He has no examination; he has no responsibilities; he has solved the problem of livelihood; and his temporary migration and stay in England, all at the cost of the Indian tax-payer, is an exciting excursion. Of course it would be an admirable thing, should he do it at his own cost. As a scheme of things to be enforced by the Government and borne by the tax-payer it seems to be an utterly grotesque proposal. Nor can it be said in most cases that on his return from England he will be in all essential respects a man changed for the better. He is certain to resume his place in society,

be met and satisfied; and the simultaneous examination will not provide the most suitable method of doing it, while from the point of view of the interests of Indians also, judged from the actual needs of the situation, economical as well as political, it will be far wide of the mark. There are two considerations that may be enforced on the thoughtful section of the British and Indian public, two considerations that are in fact two aspects of the same position and of equal importance. These are, firstly, that the time is not come for us to dispense with the maintenance of an Indian Civil Service which will continue to possess the prestige of being wholly recruited in England, whatever may be the proportion of Indians and Englishmen on it; and secondly, that the time has come for us to have in India on sound and satisfactory lines almost analogous to the Indian Civil Service and next to it only in point of prestige, an Indian Executive Service which, when the time comes, can replace the Indian Civil Service completely and necessitate the importation from the ruling country of no more than heads of provincial governments, experts in special fields of knowledge, and financiers and councillors. The organisation of such a service is of immense importance, having regard to the present and future requirements of India. What we want is to see the beginnings of an era when India will be governed in India and administered by Indians; what will be of greater service to us is a wider training of a larger number of Indians in the more responsible sections of the Executive Service; and the bringing into existence of an Indian *corps d'élite* which will be of increasingly greater value because possessing all the efficiency

of an excellent Civil Service at a cost appreciably less than that which we have now to pay; in a word, an Indian, and not merely a provincial service, is the need of the country both from an economical and political standpoint. In order that this may be more effectively possible, in order that the prestige of the Indian administration may not suffer during the evolution, improvement, and perfection of such a service, it is essential that the Indian Civil Service should be continued and should enjoy substantially its present emoluments, and that it should have as a whole the prestige of being recruited by an examination in England only. To put it in another way, the demand made on the Indian Civil Service is to help in the creation of its present co-adjutor and its future successor. A completely autonomous India cannot without exciting ridicule and suffering a heavy financial handicap, recruit its Civil Service in England, but that recruitment as India advances must be confined to India and India alone. In order that this may be possible at the right time, the organisation of an Indian Executive Service is of vital importance, much more than an objectless and nerveless and economically unserviceable concession of a simultaneous Civil Service examination with all the drawbacks and difficulties that it involves.

If such a service as we have described above is not to be organised, if the holding of the Civil Service Examination simultaneously is to be withheld, and if the question is to be solved by an addition to the number of listed posts, we may take it as a sign of British failure to cope with Indian problems in the right spirit, with sufficient vigour, under-

standing, and insight. Not concessional crumbs, not a workhouse donation, not a poor-box gift, not a charity dole—not this, but the facing of the real situation, the solving of a problem that has been shirked and shelved time after time, the requisition of finer powers of organisation, and the display of a higher capacity for progressive government, is what is wanted now. If there comes an intelligent, cordial, and sincere response to this call, the withholding of a simultaneous examination need not be regretted, and the labours of a Royal Commission on the Public Services in India, some of whose members at any rate do not lack the unclouded discernment of statesmen and the imperial patriotism of the British race, and none of whose members can be totally oblivious to the gravity of the situation, will not be in vain.

Briefly to recapitulate. Conformably to the provisions of Parliament and declarations of the Crown no disability should be imposed on the natives of the country on the score of descent; the Public Service should be reorganised so as to effect substantial economy and to afford a much larger area of employment in the higher ranks to a large number of competent Indians; and lastly, an Indian Executive Service should be evolved which will displace the Civil Service within a prescribed period and occupy its place in the administrative machinery of a self-governing India. A solution such as this will meet the crying needs of economy in administration, and will also satisfy the demands made by education, interprovincial unity, and the assimilation of ideas of a common political nationality under the British ægis.

CHAPTER XIII

THE PROBLEMS OF INDIAN EDUCATION

SECTION I

The Toll of a Foreign Rule

THE difficulties that are in all countries generally attendant on any attempt to devise a sound system of education in science or art are accentuated in the case of India by the fact that the government of the country is in the hands of a foreign nation, and the medium of instruction necessarily a foreign tongue. Consequently the very purpose of education has had to be subordinated to the demands made on educational institutions for the supply of the necessary personnel for the recruitment of the subordinate branches of administration. The higher aims of mental culture, scientific research, intelligent exploration of the treasures buried in the ancient classics of the country, and the co-ordination of knowledge, have all had to be persistently kept in the background. If we try to imagine a country of the size of Europe without Russia, subject to the centralised control of a body of persons foreign to it in every respect, we can guess how the system of education would be made subservient to the needs of its administration. Even though we realise the

enormity of the evil of a system of education in which administrative exigencies are so predominant, we cannot free it from the thraldom of those exigencies. The price of intellectual subordination that was perforce paid for this purpose during a continuous series of years, accounts for the intellectual barrenness of India in recent times. Although the payment of the price could not be avoided, the time is now come for the authorities to be aware of it and do all they can to mitigate its effect. There can be no question under the circumstances of the obligation of the State in the field of education. It has assumed, in addition to the ordinary responsibilities of education in any country, the custody of the moral and intellectual advancement of the people, and it must therefore widen its vision so as to perceive the full extent of its responsibility. For a long time now the Government has concentrated its attention on, and more or less confined its financial assistance to, that kind of education which would supply an adequate number of employees for its own service or for the purposes of those professions closely identified with the administration of the country. The recognised duty of the State as regards universal elementary education, the starting and equipping of model technical institutions, the inspiring and aiding of scientific research, have remained practically outside the purview of the Government. It has become necessary, however, to inaugurate a new era of State obligation in the field of education, which will furnish at the same time a powerful incentive for the community to play its own part in the diffusion of knowledge, the promotion of culture, and the encouragement

of mental effort. Further, the success of all administrative undertakings and reforms in a land of illiteracy such as India, which is also governed by a foreign nation, depends so much on a sound conception of State obligation in regard to education, that it will be a serious omission to ignore the problems of Indian education in a treatise concerning the government of the country. Modern civilisation and the canons of political responsibility in many advanced states render free elementary education the duty of the State, and regard secondary and technical education as the duty, and higher education as the privilege, of the parent. In many countries, just as the State has a right to compel its subjects to observe the rules of sanitation for the common good, so also has it taken upon itself the right of compelling every boy or girl to be educated at its own cost. For to be illiterate is to be potentially insanitary and ineligible for the exercise of many of the privileges of a citizen, and nowadays even to be considered an undesirable immigrant. That India, which has been the cradle of learning, should be so appallingly illiterate among the civilised countries of the world cannot but throw a stain on the high aims of British rule. We do not imply that British rulers in India have loved ignorance for its own sake, and have sought to keep millions of their subjects under the most inglorious bondage of absolute illiteracy. But they have dealt with this question of elementary education as though its solution were bound to last through a whole eternity, and as if they were to remain in India throughout this period slowly but surely to solve it. They are still avoiding a definite programme in regard to reducing

illiteracy, and at times seem prepared to perplex themselves with wholly irrelevant issues. The sins of commission have been as great as the sins of omission in the policy they have followed in the past, particularly in the sphere of primary education. Just as the early British rulers destroyed without a thought the most magnificent system of village autonomy in the world, so their later successors uprooted an indigenous system of primary education that was ideally suited to the needs of the people. There are certain things which are assimilated to the soil of the country, and the system of infant education is one of them; and such a system was torn up without a thought, in the passion for centralisation, in the firm conviction that Eastern conditions were Western conditions. With the best of intentions, those with whom lay the shaping of the early government policy have done their worst, and that is precisely the reason why it is so difficult for British administrators to realise the magnitude of the evil. At the base of the indigenous system was the "pial" school, or street school, in every village; and the village schoolmaster was one of the esteemed functionaries of the place, his office in most cases hereditary. He was paid in kind by every household which sent a boy to school: his modern prototype gets the magnificent pay of less than half a dozen rupees a month and has probably to await the arrival of an inspecting schoolmaster. The teacher in India was always held in high esteem, and the teacher of children was no exception. The respect for him in the mind of the child was instilled by the respect which every parent showed him, and his jurisdiction over the boy was complete and unqualified. Within the school the arrangement

was such as showed at a glance that the inclinations of childhood had been thoroughly understood and provided for. Anybody who knows anything of child nature knows that it cannot keep quiet or attentive except under conditions of criminal cruelty. It must be moving its limbs and making a noise, and if possible must have at its disposal a quantity of sand. The system of instruction in the indigenous primary school provided for all these; each child freely squatted on the floor, and was not perched up on a bench; each had a quantity of sand spread before it, and all the children simultaneously and lustily pronounced each letter of the alphabet as they traced it on the sand with their tiny fingers or with a small piece of stick. There was enough sand and ample scope for the noise which children love so much, and which is so greatly conducive to their health. The primary schoolmaster of those days would have thought one of his calling a dangerous lunatic if he had kept his school still and silent. The task was as nearly assimilated to play as possible, and the merry, sonorous sing-song noise with easy recourse to sand took them on the wings of playfulness, with nothing of the deleterious effects of the oppressively silent model schoolroom of the present day, constructed by the Public Works Department and presided over by a qualified primary-school teacher. All that has been reformed out of existence now. The primary school has become the first rung in a highly centralised system of departmental education. The scheme of primary education then was a consistent whole in itself and aimed at the imparting of the amount of learning essential for every man, whatever his work in life was to be. The boy learnt reading, writing,

and arithmetic in a finished manner. As oral lessons he was taught multiplication tables, including fractions, as a piece of exercise for the lungs, *in fact as an arithmetical song*, without any effort to his memory. A sum in simple fractions, or the calculation of compound interests involving fractional rates, the old school men were able to solve by a process which had become a habit of the tongue. To-day, on the other hand, our graduates of modern English education will require a quarter sheet of paper and a pencil for the same sum before they hazard an answer. Yet those were days when the Public Works Department did not plan, estimate, and supervise the school building where the boy had his instruction. Blackboards and slates and pencils were unknown. There were no registers, returns, and inspections; there was no demi-god of a Director of Public Instruction and no super-divinity of an education member to interest himself in the nature, scope, and efficiency of the instruction imparted by the village-teacher. The elaborate centralised tomfoolery that now prevails in primary education has come as a blight and a curse, and the bureaucracy is altogether unable to grasp the fact. The notion of that estimable Englishman who told his colleague that the British Government should make immediate provision for giving socks and boots to the people of India, at least to those who bore palanquins, has been given full play by the men who have shaped the policy of the Government in regard to primary education. Under the old method of instruction, along with reading, writing, and arithmetic, moral aphorisms were ingrained in his mind with the earliest recollections of school life; a little more time spent in

school, and he grappled with the rules of grammar and committed to memory stanzas embodying admirable moral sentiments, which sunk deep in his heart. His future course depended on the status of his family. If he was an artisan he became at once an apprentice under his parent or guardian, who observed him while he was at work. Doing all such minor services as might be entrusted to him, he learned the art as he grew day by day. That was the system of technical instruction. If he were to be apprenticed to a physician, he had to be, in the first instance, practically a labourer and an attendant, collecting and drying drugs, pounding them, and in fact learning the art and science, step by step, from the lowest intellectual grade. If he wanted to study higher literature, and was not trained by his own father, he was left under the care of a teacher. The distinction he earned in after life as artisan, carpenter, architect, goldsmith, physician, scholar, commentator, or author depended on his own aptitude and exertion. Thus the primary and the secondary course, the technical course and the higher scholastic course, were each different, and formed parts of an ideal system of instruction. Ideal, because, apart from combining all the merits that a system of instruction ought to possess, it was free from two overpowering vices of the modern system: firstly, the preponderance of examinations; and secondly, the conversion of the function of the teacher from that of a builder of character and complete manhood into that of a mere intellectual coach. In the indigenous system of instruction the primary teacher was in the first place the person who moulded the character of the boy; the teacher had entire jurisdiction over the boy for what

he did in school, at home, or abroad. The care of the boy was in fact entrusted to the teacher, and so much so that, if the boy proved troublesome in any respect, the teacher had only to be summoned and to call out the name of the boy to ensure instant obedience. The teacher realised his duty outside the school as much as inside it, and the parents of the boy recognised the teacher's jurisdiction as co-extensive with the physical and mental activity of the boy and with his moral inclinations as well. The teacher studied the boy, his ways and his aptitudes, and his pronouncement was received by the parents with all the confidence and deference that an expert's opinion commands to-day from a business firm. The boy, in fact, grew under the eye of his teacher. Similarly, when he worked as an apprentice artisan or when he was studying the higher branches of any science, literature, or art, he was moulded in character and judgment by his teacher, with whom he often lived and to whom he often rendered personal services. If any object must be dear to a mother, it is her son, and to an Indian mother her son is all her treasure on earth, the very apple of her eye, one with whose welfare her very heart-strings are bound up, and her affection transcends all those dictates of philosophy to which she is usually amenable. If a mother in India could frankly, and with the utmost earnestness of spirit, say to a teacher that she had borne a son to be moulded or marred in character and culture by him, that he ceased to be her child from the time the teacher took possession of him—and nothing was more common in India than the expression of such a sentiment—then one can easily comprehend how the teacher in former times

became in India *a part and parcel of the family, and how not simply the tuition of the boy, but the boy himself, was entrusted to his care.* On the other hand, in the present system of education one need hardly notice how thoroughly the teacher has been disestablished from his function as a builder of character, and relegated to the position of an instructor within the school, with no concern whatever in the moral and emotional development of the pupil. The teacher would resent the idea that there is anything remiss on his part in not having a care for the boy outside the school, while the boy himself is now prepared to turn round on the teacher and ask him what he means by calling him to book for what took place outside the pale of the school. The change from status to contract which has taken place in every other department since the establishment of the British Government, has operated nowhere with more disastrous consequences than in the relation between pupil and master.

The other evil is the examination evil. Not the acquisition of knowledge, but the passing of an examination, has become the end and aim of the teacher as well as the pupil, and the strain has become severe, unproductive, and deleterious. The University itself is a mere examining board, a condition which has vitiated the entire system of education. The colleges prepare the student for examination by the University, the high schools prepare the students for colleges, the secondary schools for the high schools, and the primary schools for the secondary schools. They are all engaged in the one task of manufacturing passed candidates! The entire edifice of the system

of education is founded upon examination; the student studies to pass, and the teacher teaches him to pass an examination; and we have the spectacle of hundreds of teachers of all ranks engaged in perfecting a system of hot-house growth, oppressive and artificial, blunting the intellect, enfeebling the mind, and in the end prostrating the man. One can conceive what a huge process of mental demoralisation and moral degradation is involved, when the resources of the State and the available energy of all educational institutions in the country are devoted to such a purpose. If anything is calculated to convert a growing, developing, and expanding mind into a mere mechanism adapted for a process of selection and rejection and retention of facts, it is a system of education in which examination is the be-all and end-all of a student's career. Instead of assimilation, there is mere loading; instead of mental development, there is a process of what is bound ultimately to prove mental enervation; instead of culture becoming the end, passing a test becomes the end; and finally, instead of a man whose mind has been fortified by the acquisition of valuable and well-assimilated knowledge, whose actions are the outcome of healthy emotions, rational convictions, and well-balanced judgment, we have a sorry specimen of a passed candidate. Indian student life culminates in producing a vast majority of failed candidates, and a small minority of passed candidates; and the few exceptions superior to either class occur in spite of our system. The teacher does not influence the judgment, train the emotions, and build the character of the student, but undertakes to coach him for a test; and the

whole-hearted aim of the student himself is in exceptional cases to get a pass as high as he can; it does not matter how low in most others. The strain imposed on him is tremendous, as the strain of all unnatural processes is bound to be. Is it not a feat of intellectual acrobatics to pass off the appearance of knowledge for knowledge itself, and to be capable of doing this simultaneously with regard to a number of subjects, at the risk of being pronounced a failure in all, if he should fail in any one of them? What can be calculated to make a mechanism of a mind more efficiently than this? If in this annual process of selection and rejection of candidates a large number must be permanently thrown out, what an amount of intellectual wreckage does the growing and accumulating percentage of failures evidence! Apart from all other considerations, is it a healthy feature that thousands of young men should be permitted to go through life as educational failures? The present system is so deplorably constituted that most of those who pass successfully become too soon in life victims of the strain they have gone through, in many cases leaving their parents impoverished; and most of those who do not get through successfully believe that a stamp of failure has been put on them from which there is no escape so long as educational qualification counts for anything. Such is the system of the present, yielding the minimum of benefit and the maximum of evil. Certainly the horizon of knowledge has been expanded, new subjects have been added to the curriculum of study, equality of opportunity has been created, a standard of merit has been instituted, and the latest advances in the domain of experimental science are embodied

in the syllabus of instruction. All these are no doubt great benefits, but they could have been secured at much less cost and to far better advantage. If only British Ministers had recognised the merits of the prevalent system of instruction before they so ruthlessly displaced it, a great deal of what was good in it would have been preserved. Did they remember that monuments and palaces, hill-forts and citadels, had been built long before the existence of an engineering college? Did they remember that so vast was the advance made in the study of astronomy and in the methods of astronomical calculation that, without any of the aids of a modern observatory, planetary movements and even meteorological events had been foretold with marvellous accuracy? Did they remember that the properties of drugs and minerals had been so thoroughly mastered, and the preparation of salts so perfected, as to excite the wonder of modern scientists—and that all this had been achieved without the aid of a modern laboratory? In what branches of skilled workmanship was the Indian without eminent aptitude? What is becoming of all this knowledge, of all the skill and all the capacity which then was in existence in such abundance? Already we have become such strangers to our own inheritance that the monumental works of the past in every branch of science and art seem to us as though they were the achievements of a nation we know not, whose descendants we seem not to be! For such a result the British Government is not a little answerable. Vandalism is the only word we can apply to the destructive work they have accomplished in constructing new systems.

Those who, for instance, swept off the indigenous system of primary education, hardly knowing what they were about, are still experimenting with the early boyhood of Indians. They were guilty of two capital errors of judgment: first, in believing that the British method, from the infant standard of instruction upwards, could be transplanted to India; and second, in the name of efficiency in bringing even primary education under a centralised control. In fact, the notion has taken possession of them that primary school teachers should be trained in the latest methods of German pedagogy for teaching infants. The Indian system, on the other hand, would have produced admirable results if only the Government had offered financial support and entertained some respect for what had stood the test of time and would have been in a flourishing state to-day but for the blighting zeal of a centralising bureaucracy. A well-shaded *choultry* with an open space round it, a plentiful supply of sand for the children to trace the alphabet in, would be enough equipment, and benches and chairs might altogether disappear in all primary schools. India is a poor country, but until yesterday, with all its poverty, it loved learning with such exclusive passion that material comfort had little fascination for its people. The result of British administration, however, has been to raise the cost of everything that it has touched, and even primary and secondary education has become prohibitively costly, and no one can now think of education except as a rich man's privilege. Picture-books, kindergarten toys, model gardens, and excursions for object lessons may all be in the fitness of things in European countries, but in India,

where the poverty of the people is overwhelming, the ancient method of instruction is the best and most substantially suited for the country. Further, the genius of the Indian people has been entirely different from that of European nations. To multiply wants, to make a man endlessly dependent on external aid, to make three steps of one—such has been the trend of European civilisation. That is the spirit of industrialism; text-books, picture-books, atlases, nay, even note-books are produced in a spirit of competition in the West; but it will be a sad plight for Indian primary education to be made an objective of this spirit of industrialism. The shortest and cheapest route to learning, however thorny and rugged it may be, not a royal road with an avenue of trees, is the one that the Indian has been taught to prefer. Moreover, the Indian principle has been to teach first what is to last through life, and to make it a part of a man's individuality. Moral aphorisms and mathematical tables, following invocation to the All-Ruling Power, were amongst the earliest acquisitions of the Indian schoolboy. Now his first introduction is to the picture of a striped zebra which he comes to glorify in his childish fancy as an object of consequence in his school-going, and his first acquaintance with letters is bound up with associations with the palm-tree, the spider, and the crab. These he sees with his own eyes as they are, but when he sees them in his books as well, he believes that he is taught in the school to know them more intimately. He grows up with no seeds of moral dictates, religious humility, trust, and faith sown in his mind at this morning hour of his education. He is practically led to begin his moral and mental

development without any deeper foundation than the feeble excitement caused by the sight of picture maps and clay models. This is all very well for a nation that has its faith embedded in a robust materialism and believes in curing, by a spirit of magnificent social service, moral and social evils whose growth has been left unhindered and unhampered. For a people whose problem of life has never been identical with an acquisition of the comforts of the world or limited by the balance they may have in the bank or in the cash-box, and with whom prevention rather than cure of evils, social and moral, has claimed prime consideration, the dawn of school life has always been associated with moral and religious notions rendered charming to the senses of the adolescent by a vivid manner of portrayal. The ideal schoolboy of the Hindus is one who insisted upon beginning his practice of the alphabet with the name of the God of his own choice, which method the imperious and self-glorifying king, his father, would not brook. He obtained relief from the parental tyranny by the deliverance of Providence, whose omnipresence he asserted, while the haughty father in supreme disdain denied it again, kicking a pillar and asking the boy whether his God, if omnipresent, was in that pillar. Thus denied and reviled, the God manifested himself, according to Hindu Puranic lore, as leonine man, justified the faith of the child, and rescued him from the tyranny of one who was at once his father and king, a religious tyrant and an infidel. Just as the Hindu boy began his alphabet by venerating the name of God, so also an author as profound as Sushrutha, one of the greatest Indian writers on anatomy and medicine, whose

works will come as a surprise to Western scholars of the present day, or a grammarian like Panini, the perfection of whose work is marvellous, would not begin his works without an invocation. Thus the Hindu conception of life and the Hindu aim of existence are fundamentally different from those of European nations. They were imparted to awakening childhood by associating secular knowledge with reverence to the Supreme Being, and later on in the career of the student by making the finite knowledge of man a narrow pathway from which to see glimpses of the domain of the unchanging and the eternal. Mundane existence in their view has been but a gift and an occasion for realising ulterior truths, by acting upon which the Hindu strove and even now strives to obtain final bliss. Whatever may befall the schoolboy as he grows up, whatever doubts may assail him, however scornful of undemonstrable sentiments and beliefs he may grow to be, the time when he begins to go to school is the time for him to learn reverence and to imbibe in his earliest sayings and repetitions the dictates of good conduct. Our British rulers are not, of course, opposed to any of these things, but the scheme of primary education which they have devised is such that there is absolutely no scope for the national system to prevail. They should be convinced sooner rather than later of the fact that they cannot make India a part of Europe, and that the best thing they can do is to help India along its own line of development, and not to try to transform it, a process which can only end by mutilating it. The education of children is almost like the cultivation of the soil, which is bound up with the

physical features and meteorological conditions of the tract of the country wherein the cultivable area lies. To utilise the Western system of instruction in the very earliest stages of childhood is not only to begin by giving a wholly wrong outlook, but to deprive the child of what it may fail in most cases to regain in later life. In spite of all these years of mistake, there is still time enough for the Government to retrace its steps and to release primary education in this country from the trammels of a Western outfit, from the tyranny of a foreign method, and from the essential unproductiveness of making early education a process of feeding the supposed fancies of the child, not according to the genius of his own race, but in keeping with that of another. Above all, the certain contingency of gradually but inevitably making primary education as costly as it is in the United Kingdom is to be dreaded as a curse in the disguise of a boon. To place it under the withering control of a centralised department with a radiating staff of Indian, Provincial, and upper subordinate and lower services, is to let in the scorching heat of a departmental divinity from one of the many solar systems of the Indian bureaucracy. To release primary education from the bondage of centralised control, and to free it from its Western habiliments, is to restore to the nation its own children. We do not want the Western quality and the Western standard of costliness, in the primary school at any rate. Let the Western method and manner begin from the secondary course, and to a fuller extent from the high school course, and have free play in the collegiate curriculum. Let the nation have the privilege and the responsibility, the right and the obligation, of

laying the foundations of education as the genius of the race demands and the means of the people will permit. Let no child be denied education because the Western trappings in which it is to be clothed are so costly that all the children cannot afford it. To an Indian it is the substance and not the manner of giving which is important; let England by all means have for herself the Western method of teaching the alphabet and the numbers, but let India be allowed its immemorial method so far as the system of inculcating early moral lessons and of strengthening the faculties of the mind is concerned. After this is accomplished, let the Director and his abundant and fast-increasing staff of Inspectors, Assistant-Inspectors, Sub-Assistants, Inspecting School Masters, and any others who may be in store for a service-ridden country like India, assume charge of the education of the boy. But in the first instance, at the softest, tenderest, and most impressionable period of existence, let the community itself perform the ceremony of initiating the child's education. The primary school is, in fact, a portion of the home; it is not even a neighbouring house, as is the secondary school, and not a place of migration, as is the college; in literal truth the beginning of a boy's education is a sacrament of Hindu life. It is an actual ceremony of initiation with appropriate hymns which to-day, through the all-pervading fascination of Western ideals, is being allowed by men of modern education to fall into disuse. This sacred custom has been wrenched from its ancient setting and cast aside to make room for Western methods totally unsuitable to Eastern conditions, and for which the people also have to pay. As if all this were not sufficient, the

expenditure on this score is made an obstacle in the way of free elementary education.

SECTION II

The Problem of the Three R's

The Bill introduced by Mr. Gokhale was thrown out by the Government of India with the most profuse expressions of sympathy and with the most gallant avowals of fidelity to the principle of compulsory free education. The member in charge of the portfolio of Education played a part which was sometimes pathetic, sometimes almost comic, by the nature of the opposition which he raised; while the attitude of the Government throughout was beyond all possibility of definite comprehension. All this was done because, while the Government was prepared to smother the Bill with the most affectionate embraces, protesting and swearing sympathy with the identical objects the mover had in view, it was unwilling for the time being to commit itself to a definite policy. It is this absence of a positive policy that seems to have driven the Member for Education into too affectionate an embrace of the whole Bill theoretically, only to pronounce later a *talet* after the Mahomedan fashion of divorce. It was, however, obvious that the attitude of the Government of India, for weighty and cogent reasons, could not be left where Sir Harcourt Butler left it. For, both in regard to what should have been said against the Bill and what should have been done for the Bill, the position of the Government of India was far from satisfactory. On the one hand, the Member for Education in portions of his

speech committed the Government of India too deeply in regard to the principle of compulsion, while on the other hand he was painfully reticent about the adoption of a progressive plan for the systematic spread of primary education, beyond a mere allotment of funds as might annually be found feasible. In dealing with the principles of compulsory education, there was apparently no limit to the good intentions of Government, while as regards a present programme there seems nothing open to it but to be altogether silent. "I should rejoice," declared Sir Harcourt Butler at the very beginning of a really excellent and well-delivered speech, "I should rejoice as much as they (Mr. Gokhale and his supporters) to see a condition of things in which elementary vernacular education is free and compulsory in India. The Government of India are deeply concerned to bring about such a condition of things." Concerning the Bill itself, Sir Harcourt expressed it as his opinion, "that it is a modest and unassuming measure, that it is full of safeguards, so full of safeguards that it seems to many likely to remain a dead letter." In these observations the Member for Education let out the official case against compulsion, an attitude which for an indefinite time to come must prevail with the Government of India, however much we may regret it. But he did not, after saying this, bring to bear in controverting the Bill that exact scrutiny which would expose the real objection to compulsory education in this country. After such an unreserved avowal as was contained in his statement that the Government of India is deeply concerned to bring about such a condition of things, the objection he raised against the Bill was: "As practical legislators

we are bound to ask what is the demand for the Bill." This is a very feeble difficulty indeed if we recollect that, without any demand by the people, compulsory measures both positive and negative in their character have been enacted by Government, such as compulsory vaccination, compulsory factory regulations, and the fixing of a compulsory age limit for matriculating. When Sir Harcourt fell upon the existence of caste as a stumbling-block in the way of compulsion, Mr. Gokhale retorted in his concluding speech that the Mahomedans had no caste, and yet they fared no better than the Hindus. Sir Harcourt admitted that in England compulsory provision of schools preceded compulsory education, but pleaded financial inability to undertake compulsory provision of schools in India. He wound up by saying that the proper method of compassing the end in view would be to amend the Municipal Law. Such a method of dealing with the problem amounts almost to a failure to grasp the essential issues raised by the Bill.

In the first place, compulsory education will remain outside the pale of practical undertakings in India for a very long time to come, not because the principle of compulsion is *per se* repugnant to the traditions of Indian Government or because of caste, or even on the score of expenditure. The paramount reason why India cannot think of compulsory education lies in the abysmal poverty of the people who will be affected by it, and to whom it will be nothing but an attempt to educate their children at the thick end of the police baton. It will be an ironical offer of education to those who hardly know what it is to have a full meal for days at a stretch, and whose normal physiological condition is one of perpetual

hunger. It will be a mean and melancholy gift of the three R's to boys for whom a tiny bit of rag a few inches in length and breadth is all the provision that can be made in the way of clothing by their parents. To fine them for not accepting it will be nothing but an odious and incomprehensible method of adding to the revenues of Government. Unless the State is prepared to feed and clothe as well as educate, it will be futile to think of compulsory education. The safeguard of which the Educational Member spoke in such generous terms, which consists in allowing compulsion on the recommendation of Local Boards, is no safeguard at all, since the nature of compulsion is the same from whatever quarter the initiative may proceed, and since the ultimate responsibility will be the Government's alone. Nor can free primary education be immediately introduced throughout the length and breadth of the country by a stroke of the pen. Apart from the impracticability and the expenditure of such a scheme, what will weigh against it as a practical undertaking is the apathy from which it will suffer on account of the complete lack of persuasion of local agencies. Schools will have to be opened and closed in a haphazard manner, and the benefit will hardly be proportionate to the enormous expenditure incurred. If compulsory provision of schools should mean sufficient provision as well, the position is not far different from free primary education.

To be convinced of these difficulties, however, does not mean an admission that Government can do better than merely allot funds as the years go by and as surpluses permit. The Government of India might recognise at the very threshold of this problem

that for all practical purposes there are two classes of illiteracy in India, preventable and unpreventable. In the case of the former, free education will be of avail only if local persuasion systematically goes hand in hand with it. In the case of the latter, its solution must await a gradual change for the better in the present abject conditions of the classes concerned. Until then free education will be of little or no attraction to them, while compulsion in their case will appear a tyrannical exercise of power, unless the Government is prepared to accept further responsibilities which have nowhere hitherto been assumed so extensively. The Government of India must accept the gradual removal of preventable illiteracy as a matter of imperial responsibility, and must commit itself to a definite plan of operations in combating it, utilising for the same a definite source of revenue; it must make the steady and systematic employment of persuasion by local bodies the pivot on which the entire scheme turns. Legislation on these lines will mean that if a Taluq Board or Municipal Corporation or a village Panchayet should be willing to introduce free primary education within its area, the Government of India will make an annual grant of a proportion of, say, 40 to 90 per cent of the total cost; the increase of grant within this limit will depend upon the increase of the school admissions and attendances, which will thereby guarantee local persuasion. Since such a scheme cannot be a substitute for the existing system of primary education, and the funds required will have to be an additional call on the resources of the Government, separate provision will have to be made. Apart from the suggestion which Mr. Gokhale has already made in

this connection, there is one source of provision which seems well worthy of consideration. The permanently settled estate holders, not only in Bengal but throughout the country, are the only class who have practically escaped increased taxation since the beginning of British rule. It is not proposed that there should be anything in the nature of a revision of these permanent settlements, but it will be a perfectly justifiable course if a cess should be levied on their *peishcush* varying, let us say, from $1\frac{1}{2}$ to $3\frac{1}{2}$ per cent or more, as may be found necessary by the progress of expenditure on free primary education. Some of them may possibly be misled into considering it as a violation of their permanent settlement, but it is assuredly nothing of the kind. In undertaking free primary education, the Government undertakes a task that was never before attempted by any of its predecessors; and it is an undertaking that involves expenditure without an income in return. Omitting customs and excise, upon which the Government may have to draw in lieu of developments in so many directions, the taxation of incomes and lands other than permanently settled estates is fast reaching its limit. Under these circumstances, to look upon this class as exempt from all further taxation in perpetuity is to be inexplicably squeamish in the discharge of responsibilities to millions of others too long neglected. In fact, if the Government acts with a clear discernment of its needs and resources, and does not shirk the paramount duty of banishing illiteracy from so vast and populous a country by methods that will not prove penal or futile, a scheme such as this offers better prospects than a plunge into compulsion, while the policy of shelving

the entire question of primary education in India will have to be recognised as no longer practicable under the improving conditions of the country. Nor can it be maintained that the burden of free primary education in India is one that should be borne for the most part not by the Government but by the local bodies. India's case will long continue to be different, and there is no reason why a manifestly impossible course should be insisted upon unless to perpetuate a policy of inaction on a question of the utmost importance. To the doubt so often expressed as to whether it will be possible to give free elementary education in so vast and populous a country as India, there is but one answer, and that is to raise similar questions concerning other matters that have been successfully accomplished. Is it possible in India to survey every inch of land, to assess and collect the rent or revenue for every foot not only of cultivated but of cultivable area, owned by any subject of the Government, nay, to protect even the primeval forest resources of the country from the encroachment of men and cattle? If all this is possible, to place elementary education freely at the disposal of every child should be equally possible. Obviously the Government of India cannot justifiably delay much longer including amongst questions of imperial concern the imparting of free primary education, which will be regarded as the finest outcome of British order and organisation.

A period of renaissance must therefore be inaugurated for primary education. The old indigenous methods should be rehabilitated, free from the stifling control of a centralised department. Village Panchayets, Taluq and Municipal Boards must have

complete control of primary education. Reading, writing, arithmetic, arithmetical tables, moral aphorisms, easy poetical compositions, elements of vernacular grammar, domestic hygiene, and brief outlines of Indian geography and history, all in the vernacular, should form the course of study in the whole primary course. These subjects may be spread over a period of six years. There should be no examination whatever during the first three years of the course, and the boy should grow up merely learning and developing his infant faculties of attention and acquisition. At the end of the fourth year there should be an examination merely to detect the deficiencies of each boy, so that the teacher may devote special attention to them, but not for purposes of promotion. The result of the final examination at the end of the last year of the course should be set forth in the certificate, without any classification of "pass" and "failure," simply for the purpose of giving an idea of the boy's proficiency. The result of these proposals will be to ensure a systematic spread of primary education with provision for its being made free, if local bodies are disposed to co-operate with the Imperial Government, and to rely upon a scheme of efficient persuasion. In the next place, the method and course of instruction in the primary schools must be such as will enable the boy to retain what he acquires practically for the whole of his lifetime. If parents of boys should be desirous of having them taught the rudiments of Sanskrit, Persian, and Arabic, provision may be made in the latter half of the primary course, so that no boy need grow up without an elementary knowledge of a classical language or of a sacred language,

which embodies the scriptural literature of his religion. By the time that a boy enters upon or completes his twelfth year he will have run through a profitable course of study in the vernacular, which will be an excellent foundation as well as a substantial acquisition, even if he cannot pursue his scholastic education any further. For such a course of study the State should be prepared to aid the local bodies to the extent of from 40 to 90 per cent of the total cost, and these schools may be separately designated by the name of Local Free Elementary Schools, to convey the notion that they are free and under local management. As these schools multiply in number, the existing primary schools which charge fees will gradually diminish and disappear, together with the method and course of instruction pursued therein.

SECTION III

After the Primary Course

It would be far better if at the very threshold of the stage of secondary education a distinction be made between boys who will ultimately take up a University or professional course and those who can only qualify themselves for a mechanical branch of study, and if a separate system be adopted for each. The latter may be known as training schools and the former as public schools. Every boy who comes with a primary school certificate should be eligible for admission to the training and public schools, subject to passing an examination in easy spelling, in English, and in arithmetic, six months after admission and suitable teaching. In the training school the

course will extend for a period of six years, and should comprise English, outlines of the geography of the world (more of a political and commercial nature than physical) in his own vernacular, arithmetic, sloyd (paper and wood), and elementary training in dyeing, weaving, carpentry, masonry construction, and foundry work. There should be at least one training school in every Taluq. To begin with, a model training school may be started in every district by the Provincial Government, under the direct management of the Department of Public Instruction. Appropriate vernacular text-books should be published to meet the curriculum of the training school. The sons of artisans should have special facilities for admission, and those who successfully pass out from the training school should be eligible for polytechnic or agri-horticultural institutions, where the medium of instruction in advanced portions of any particular branch of industry should be partly the vernacular and partly English; and similarly, if it be an agri-horticultural institution, both languages should be used in teaching elementary agriculture, sericulture, apiculture, methods of scientific manuring, grafting, and pruning. The course in both should not exceed four years, and each district should have at least one polytechnic and one agri-horticultural school, under the control of the Director of Public Instruction, the cost being entirely met from the provincial funds. Under the proposed system there will be no needless waste of intellectual labour, since at present most of those who are neither fit nor willing to qualify themselves for a University course are for want of suitable openings compelled to go through a secondary course of instruction mainly adapted for

University education. Hundreds of these, after a fruitless endeavour to get through such a system of secondary instruction, find themselves unable to turn their hands to any profitable occupation in life. Again, although according to the Indian system of technical education the son succeeds to the profession of the father and is trained by the father himself, still if he desire otherwise there are no facilities for a boy of one caste to learn the profession followed by men of another caste. Nor is there any facility for a boy to obtain training in more than one branch of manual work, so that, if on account of competition or lack of capital he cannot succeed in his hereditary profession, he may utilise his skill in some other. A boy who by reason of the position of his father has good prospects as a master carpenter, metal-worker, or weaver, will, after his primary education, prefer to receive his professional training under his father or guardian. But there are hundreds of children in each and every place who have not that opportunity in life, and whose utility as members of society will depend upon their ability successfully to adopt some profitable occupation, for which they have had some kind of systematic training. That these should be condemned to a system of instruction suited only to a literary course of study is a misuse of human material amounting almost to social guilt. To condemn a boy who could have made his life easy as a good carriage-builder or a reliable dyer to be harried through a course of study in the vexatious mysteries of $(a+b)^2$ or the vagaries of a hypotenuse, to load his memory with the names of all the capes and creeks and rivers and lakes in the known world, and ultimately to be incapable of getting on in

life except perhaps as a bill-collector or a post-peon, is deliberately to follow a woeful and wasteful system of public education.

In the case of a boy who enters a public school with a view to going up to the University, or to qualify himself as a licentiate in one of the professional colleges, the subjects taught and the method of instruction employed should be different. The method should be that adopted in convent schools, where the medium of instruction from the very first standard is English, and every subject is taught in simple English only. The entire course should be spread over a period of six years, during which there should be no more than two examinations. The first of these, held at the end of the third year, should be a school examination to keep back the hopelessly ignorant for a period of six months' further study; and the final examination at the end of the sixth year should be a public examination, conducted by a School Final Board appointed by the University for *particular groups of districts*. The scandal of a common matriculation or common school final for an entire province, and for thousands of candidates, should be given up in deference to mere intellectual decency. It is a process of thorough-going mental holocaust, emphasising the worst evils of the Chinese system of paper examination. It is nothing short of a process of competition between an examiner who has no manner of contact with the candidate, and is determined to turn him inside out, and an examinee who is driven to palm off on the examiner all that he has learnt by rote. It is a thoroughly vicious and vitiated system, and when we remember that thousands have to undergo such

a common test the strain on the boy can be well imagined. The best course would be to have a School Final Board for every district, but if that be considered too precipitate a step, Boards for particular groups of districts may well be formed. For instance, to take the Madras Presidency, six School Final Boards may be established to begin with. The Northern Circars may come under one group; the Ceded Districts with North Arcot under another; Salem, Trichinopoly, Coimbatore, and the Nilgiris under a third; Malabar and Canara under a fourth; Tinnevelly, Madura, Tanjore, and South Arcot under a fifth; and Madras and Chinglepet under a sixth group. The Board should consist of the headmasters of the leading public schools in the district, and should be presided over by the Principal of the leading college of the group. There should be oral examination in most of the subjects to supplement the written examination and to correct the evil of exclusive reliance on written test. There should be a Central School Final Board, composed of the Chairmen of these Boards, the Director of Public Instruction, the Vice-Chancellor of the University, who should be an actual educationist or of the same standing, and not a mere official entity, and two members of the Senate elected by the body from among active educationists. This Board should have entire charge of the curriculum and final examination and the grant of certificates. The inspection, recognition, and allotment of grants for these schools should be vested in the Director of Public Instruction, subject to such main regulations as may be framed therefor by the Central Board. If it be necessary to designate the official connection between the Director and the

Board by an official appellation, he may be called Ex-Officio Commissioner of the School Final Board. The subjects of study should be: (1) English, (2) a vernacular or classical language, (3) elementary mathematics, (4) elementary science, (5) English and Indian history and political geography; but the student should be required to obtain a compulsory minimum of one-third of the marks only in English, and 40 per cent of the total number of marks, provided that, if he should get below 20 per cent in any subject, such marks will be ignored.

The School Final should be considered mainly as preparatory to entering college, and should not be viewed as an examination of independent value in itself, apart from such qualification. At the end of the first two years of collegiate training the student should be eligible for a Previous Examination by the University itself in English, an optional language, and an optional subject. The optional subjects may be grouped under the main heads of: (1) mathematics, (2) natural science, (3) physical science, (4) history, (5) political economy and logic. A compulsory minimum of a third of the allotted marks in all three subjects, with 35 per cent of the whole, should be enough for securing a pass. If a candidate fails in the optional language, but passes in English and the optional subject, and gets not less than 50 per cent on the whole, including the marks in the optional language, provided these amount to not less than 20 per cent of the whole, he should be entitled to a pass. Those who get not less than one-third in every subject and not less than 60 per cent on the whole should be entitled to a pass with distinction. The Previous Examination, which will be the first University

examination, should mark a visible stage in collegiate education, and a student passing it should be entitled: (1) either to join a professional college for the *diploma of a licentiate* in engineering, medicine, law, forestry, agriculture, commerce and banking, veterinary science, and electrical and mechanical engineering; or (2) to undergo appropriate educational training for service under Government in the inferior grades of Police, Excise, Post, Telegraph, Forest, Survey, and Revenue services; or (3) to proceed for a degree in arts. In regard to the first of these three, the course of study should not exceed three years, and on passing it the student should be eligible, except with regard to law, to qualify himself for a degree in that branch if he chooses to do so. More of these professional colleges should be established in every province, as the present provision is exceedingly inadequate. As handsome fees are charged for training in these institutions, there is no reason why the Government should be so niggardly in sanctioning an adequate number of them. For instance, it is an educational scandal that there should be but a single engineering college for the whole of the Madras Presidency, and that admission should be by a competitive examination only. Schools like the Vellore Police School should be started for training applicants for service in the inferior grades of the other executive departments, so that no man need have to pass the necessary tests or get the necessary training *after* entering the service.

The course for a degree in arts should comprise English, and the optional subject and optional language taken in the Previous Examination; it should occupy no more than two years for a

pass and three years for honours. The position of the optional language should be the same as in the Previous Examination, that is, a failure to obtain a third of the marks allotted should not entail rejection, provided the student does not fail to get 50 per cent on the whole, including his marks in the second language, if not below 20 per cent. The only professional examinations for which a degree in arts should be necessary should be the degree examinations in law and in teaching. A candidate who passes the Previous Examination and the appropriate licentiate examination in law should be eligible to practise in the Moffussil Courts, but one who takes his law degree should be eligible for practising as a member of the High Court Bar, and only a Bachelor of Arts should be permitted to sit for the B.L. examination. For every other profession, the diploma of the licentiate should be necessary to qualify for a degree in that branch, and a degree in arts should be dispensed with. In all examinations, if a student gets 40 per cent of the marks in any subject he should be exempt from appearing in that subject again. The requirement that every student should pass in all subjects simultaneously at the risk of having to appear in all of them again, should he fail in one, is in fact a brutal requirement, and should be given up by all the Universities as being no more than a degradation of intellectual work to the rank of intellectual mortification. In many cases such a demand imposes on the candidate the labour of Sisyphus at its cruellest, and is the very apotheosis of the faculty of cram. It is a most irrational exaction, especially in the professional examinations of young men who

have to face the world as they leave the portals of the examination hall. Every examination should be held at least twice a year, as a full year is too long a period of waiting.

The claims of the vernacular languages have been the subject of heated controversy in the Madras Presidency, where they have occupied for a long time a place of equal importance with the other subjects in the curricula of studies. In Western and Upper India there has been no such controversy, as a classical language has remained compulsory. In South India, where the vernaculars are of a Dravidian origin and not of a Sanskrit type, as they are in Northern and Western India, and where compulsory Sanskrit will seriously handicap the non-Brahmin classes, the vernacular had to take a place side by side with Sanskrit or any other classical language. Further, the South Indian vernaculars have all of them a noble literature, having been copiously enriched by master minds, whose attainments in the classical lore of the country were of a very high order, and whose mastery of the vernacular was equally profound. The main feature of all of them is that one can derive from a study of these literatures practically all the benefits and elevating and chastening influences of a course of study in the Classics. The question has been prominently discussed whether a student who receives University education should be allowed to forgo the benefit of a course of study in a classical tongue or in one of the Indian languages, when the latter are so richly endowed. The contention that in Sanskrit and the vernaculars there are no prose works of a modern European type, and that therefore they are of little consequence in present-day require-

ments, fails to apprehend the true merits of a study of classical literature. Dissertations and discussions, essays and criticisms, novels and biographies, are without doubt of great value for the information they contain, for forming the style of the student, for adding to the range of his expression, and for developing his powers of narration. A truly classical lore has other merits, which it will be unwise to ignore in a system of sound education. So far as the Indian classics, including the ancient works in the vernacular languages, are concerned, in addition to the unsurpassed merits which they have in common with all classics, there is the paramount consideration that they are the treasure-house of the antecedents, usages, and sentiments of the nation. They furnish the key to national character and disclose the national bent of mind as few other sources of information can. They form in fact the very inheritance of the race. To frame a system of education consigning such an invaluable storehouse of knowledge to practical oblivion is to ask the Indian student to begin and end his scholastic career as though he were born of a race of literary bankrupts, and of a land without a past. If we cannot ransack the treasures left to us in particular departments of knowledge, such as astronomy, medicine, philosophy, and architecture, it should at least be possible for every Indian student to know the outlines of the ancient literature of his country. Nor is that literature in any way poorly endowed, if judged by any standard of literary excellence. In depth of human pathos, in conflict of passions and ideals, in grandeur of human suffering, in devoted attachment to man, woman, or plighted word;

above all, in penetrating through the veil of destiny and appraising the value of human effort by the side of actual successes achieved and in unfolding the play of human ambitions; in fact, in armouring a man for the success or failure that awaits him in life, there is no literature which can greatly surpass the literature of India. To complain that we have no standard prose works included in such a literature is to be not critical, but foolish to a contemptible degree. By every means in our power we are bound to bring into existence in the vernaculars of the country works dealing with the latest advances in various departments of knowledge. That does not mean that we should act as though we were ashamed of the classics of our own country and blind to their excellences in a curriculum of studies. Even if we should have standard prose works they will have to occupy a place by themselves, and cannot approach in point of sublimity and beauty, in all that makes a literature classical, the ancient classics of India. An acquaintance with portions of works of such a type should be made an essential part of University education, so that no educated Indian may grow up in complete ignorance of the ancient classics of his country, and without having his mind drawn in his early career to what may possibly strike him as deserving his intellectual devotion. At the same time a certain amount of elasticity is necessary in the position assigned to a classical or Indian second language in the examination syllabus. It is most undesirable that the career of a student should be marred on account of his deficiency in it. The proposal made above as to the position of the second language secures this object, while guaran-

teeing that he will be taken through an Indian classical course. A mistaken conception has arisen in some quarters that the inclusion of a second language in the curriculum of University studies is advocated in the expectation that the vernaculars of the country will be improved. While nobody will contend that such a prospect is altogether unreal, still it is necessary to reiterate that it is more from the point of view of a classical course, with which may be interwoven the highest and the best in the past of the country, that the inclusion of an Indian language among the subjects of study is demanded. Indirectly it may not fail to benefit the vernaculars in stimulating the composition of vernacular prose works, but that is not the prime consideration underlying the recommendation.

SECTION IV

The Educational Service

It will be a manifestation of supreme lethargy to leave the destiny of higher education in India to the general run of "departmental educationists," who, coming to India soon after the completion of their college course in Great Britain, fall into a self-satisfied state of mind. Most of them manage to go through their "official" career with essentially the fund of knowledge they had on entering the Indian Educational Service, and are not required by circumstances to care for more. The vice of a bureaucratic form of government is that everything in its service tends to become a part of the governing bureaucracy. The Indian Educational Service has suffered considerably from this inherent taint of Indian govern-

ment. An "Educational Service" is formed, with pay, prospects, pension, and leave regulations, and consequently there is room in it only for those who can enter it before a stated age, with a certain minimum of qualification, and are lucky enough to obtain the patronage of the India Office. The "Educational Service" gets filled, therefore, in course of time, with a set of somnolent worthies, who solve the problem of life and all other problems when they receive their nominations, even as did their elder brothers of the Civil Service when they fell within the required number. Indian education becomes stagnant, and its standard lags far behind that of the United Kingdom, which initially is not considered by Germany and America sufficiently advanced in several branches of scientific study. The evil can be remedied only by requisitioning for a temporary period the services of talented men, if possible some of the great savants of the day, so that an invigorating breath may be imparted to the system of education, and the "Educational Service" may at least at intervals be quickened into intellectual life. If the appointment of professors of colleges lay with the Universities themselves, and were the Universities entirely composed of a self-governing body of eminent educationists, the evil would not be what it is now. If we could only imagine the state of affairs if the Home Secretary in England nominated and appointed all the professors and lecturers of all the Universities in the United Kingdom, or if the German Chancellor appointed all the professors of German Universities, we should be in a position to realise by comparison how completely the vice of officialism pervades the system of collegiate education

in India. So long as the University in India lies under a ban as regards the appointment of professors of colleges, collegiate education in India will be but a process of "discharging official duties" without the elevating influence of taking part in forming the intellectual calibre of the rising generation. A member of the Educational Service generally feels more like an official than like a teacher among boys or a fellow-teacher among teachers. There is, again, a difference which cannot be overcome between him and a member of the "Provincial" Service; and he cannot forget the idea of rank in his "own service" and the fact of proximity to the office of Director of Public Instruction—the controlling divinity of the "department," who has nothing to do with *collegiate* education. It is a notorious fact that European teachers in missionary institutions are more accessible to students and on terms of greater intimacy with their Indian colleagues than the members of the Indian Educational Service. But the worst effect of the official atmosphere in which the Educational Service moves and has its being, and of the division of the educational department into "Provincial" and "Indian" sections (the latter reserved for men of European birth, Indians being condemned to the inferior branch however eminent and exceptional their qualifications may be), lies in the feeling of early resentment implanted in the young aspiring Indian mind at the most telling period of life. The members of the Provincial Service cannot but regret, if not always audibly, that they have to reconcile themselves to a situation in which the qualification of birth outweighs not only want of attainments in

the individual, but possession of superior abilities in another who is not of the same racial stock. The quick-witted student who sees the latest recruit to the Indian Educational Service lagging, as it were, behind the required degree of proficiency, at times even having to strive to keep abreast of the most advanced section of the class, and at the same time sees the Indian professor who is absolute master of his subject condemnd permanently to a lower status and salary, feels little encouragement to show advancement in knowledge, conscious that birth may be penalised and attainments ignored in the dispensation of affairs under the British Government! Again, many a brilliant young man who would willingly have adopted education as a profession, having won laurels in the classical seats of learning in the West, has been forced to seek service in some other department or in the more liberal and hospitable service of a Native State. Such examples induce a bitterness of feeling in the earliest stage of intellectual life, and lead to an attitude of mental revolt against a policy which sanctions such gross inequalities and appears specially odious at a stage of mental development in which democratic ideas are in full swing. Young men read the lives of the Encyclopædists, the reasoned works of Mill, the passionate contributions of those master minds to the cause of Altruism, the highest religion in the plane of the known and the knowable, and when, with the inspiring sentiments distilled from these flowers of English literature coursing through their mental and moral being, they are brought face to face with the reality of the bar sinister in the very sanctuary dedicated to learning, they turn with a feeling of profound

disgust from the pretentious flourishes with which almost every British official or politician thinks it becoming to protest on every conceivable occasion his love of India and his regard for fair play. They are inevitably led to rate the political conscience of Englishmen as a peculiar possession which more often finds a reposeful place in bank books than elsewhere, and is so strikingly in contrast with their rôle in the vanguard of the forces of culture and civilisation. No teacher or University or college lecturer need take any part in politics, whether honourable or objectionable, to fill the young Indian student and the future citizen with feelings of dismay and distrust, so long as it remains a matter of system that mediocrity can on the score of birth supersede merit.

The inherent viciousness of the system is that the Educational Service has been constituted as "an opening" for men of British parentage. There must be an end of this. In the first place, the Director of Public Instruction should have no concern with collegiate appointments, and if it be too summary a measure to place them entirely under the control of the University, they should be controlled *by an eminent and active educationist* to be designated Director of Collegiate Education. He should not be of the Indian Educational Service, but a savant of any of the British, American, or European Universities, engaged for a period of from three to seven years. He should be in charge of the leading Government College of the Province, as Principal, should direct the course of collegiate instruction in the province, and should be the chief of the University lecturers. He should be authorised to engage the services of eminent

professors for temporary periods in the faculties of Engineering, Medicine, Forestry, Agriculture, Law, and Arts. These will be men of greater capacity who will set the pace for others in the service to follow, and will be in a position to keep the standard of collegiate instruction in India as far as possible on a par with that obtaining in Western countries. The higher pay that will have to be given to them need not be grudged, since there will be no obligation to pay them any pension. They may be engaged for any period from two years up to seven years, and as all colleges have a long recess, it will be easier to make provision for their stay in England for a sufficient period of recuperation from the effects of the Indian climate. The Director of Collegiate Instruction should visit the Moffussil Colleges and deliver model lectures, and authorise whatever may be necessary for their improvement. He may be given a personal assistant of his own choice from his own University.

The functions of the Director of Public Instruction should be limited to the schools ; and his designation may be more appropriately altered into Director of *School* Instruction. A man on Rs. 2500 a month is far from necessary for the office, and one-half the pay is amply sufficient. Nor is it advisable that a professor of first-rate abilities should be condemned to desk work, occasionally looking into school returns and ordering the transfers and promotions of Sub-Assistant School Inspectors. The cause of education has at times sustained a very severe loss by the appointment of eminent professors as Directors. The only temptation to desert the more congenial work of teaching has always been the higher pay

and status now accorded to the place of Director of Public Instruction. The improving conditions of Indian education require that no professor of first-rate abilities should be any longer condemned to clerical drudgery and the supervision of High Schools conducted mainly by means of reports received through his subordinates. Further, the man who has to be in charge of collegiate education must be *an active educationist himself* and must mix with professors and lecturers as one of themselves, his chief work being cast amongst them and with them. He must be a man of acknowledged eminence in a European University, and should be the means whereby the services of competent professors could be secured for temporary periods. There must be a separate official in charge of school instruction, and the Director of Public Instruction should hold that post.

The regular service should be divided not into an Indian and a Provincial branch, but into a professorial and a tutorial branch, the former being recruited generally from among those who have passed with honours in any of the British or European Universities, no racial difference being made for purposes of such selection; the latter from among distinguished graduates of Indian Universities, provision being made for the promotion of men of exceptional eminence to the professorial branch, in which case their salary, status, and pension should not differ from those of the other members of that branch. The Director of Public Instruction should have charge of schools above the grade of primary schools, the management of the latter being gradually, yet completely, made over to local bodies. The secondary schools, the

polytechnic and agricultural institutions, and public schools alone should remain in his charge. It will be unnecessary for this purpose to have such a highly paid Inspectorial staff, and a substantial reduction may be made, since an efficient Indian staff can do justice to the work involved in the inspection of these schools, provided the Director gives more of his time to personal inspection. If necessary, he may have two deputies under him, but the staff of Inspectors may almost all be Indian.

SECTION V

Residential Universities

Along with these reforms the Government should recognise the need for the establishment of a teaching and residential University in every province. An Indian province is large enough and quite populous enough to warrant the existence of more than one University. The present policy of leaving the course of education to be entirely moulded by a single University, and that essentially of the type of an examining body, is deficient in more respects than one and calls for early rectification. The high-minded and benevolent policy of Lord Hardinge's Government, which has determined on the establishment of a second University at Dacca, in Bengal, as a teaching University, should be systematically applied to the educational needs of other provinces, among which those of the Madras Presidency stand first in importance. Unless a residential University is established in every province, the measure of independence legitimately due to a self-governing academical institution will not be apparent to the officials

who indite the communications in the name of the Government, and there will be no example of efficient management of educational institutions. In the case of both types of University, however, the Government ought to make up its mind to allow a much larger measure of independence than it has been disposed to do. The idea that, because of the financial aid which it gives, the Government is justified in imposing its pet predilections on the University is one that cannot but adversely affect the cause of higher education. It should be plain to the commonest understanding that so responsible a body, which includes men of the highest intellect in the province, could not be ruled merely with the rod of authority. No self-opinionated secretary, inflated with a notion of his overwhelming importance because he speaks in the name of Government, can by his inconsiderate and not strictly warranted criticism do more than wound the sense of self-respect of a University. It is certain to compromise the dignity of the Government beyond repair. It may be open to the Government to say the last word in an unedifying controversy with a body consisting of the most talented men of the province, but the privilege is often exercised in such a way as to carry the palm for perversity. It will therefore conduce to the prestige of the University as well as of the Government if the latter refuses to stoop to the undignified conduct of treating the former as though it were essentially a subordinate body, dependent on the goodwill of the Government and liable to be treated with censure or compliment as the predominant mood of the hour may suggest. In fact, before the Government commits itself to an expression

of opinion, there should be a definite attempt to examine every aspect of the opinion presented from the point of view of the University, and with due regard for a body to whose hands the cause of culture and the intellectual progress of the province is committed. To be inconsiderate in dealing with such a body is not to assert the authority of Government but to betray it in a most thoughtless manner.

SECTION VI

Dictates of Self-Interest

Such are the directions in which the educational advancement of India lies so far as it can be advanced by the Government of the country. All of them call for a liberal expenditure of money as well as a moral and mental earnestness of purpose that can hardly be expected of men who have grown up in Anglo-Indian traditions. As for money, the country can provide it, if only those who have the control of its finances will make the best use of their opportunities. The reforming impulse can only proceed from outside the confines of the narrow governing guild. The "professional official" will have neither the inclination nor the high driving power, nor the tenacity of purpose, nor the spirit of self-abnegation necessary for initiating radical reforms in opposition to vested interests. The task must call forth the energy and devotion of men who will not be afraid to think and who will be courageous enough to act.

A few writers on Indian topics have doubted the wisdom of educating India, while some others have gone the length of tracing to the system of education on Western lines all the manifestations of a spirit of

incipient revolt against British rule. Such symptoms of hypochondria have their origin in an utter lack of appreciation of the conditions indispensable for the government of India by England and of the essential limitations of British rule. As a matter of mere self-help, it was unavoidable for England to educate India on Western lines. Of course it is impossible to educate all the millions of India on such lines; but a section, an infinitesimal section, of the population had to be so educated to make British government possible. When once the portals of knowledge are thrown open, those who enter cannot be commanded to benefit only to such an extent as will suit the purpose of those who gave them admission. Nor was the impossibility of imposing such an odious limitation absent from the minds of those who, after anxious deliberation and a full realisation of all the risks involved, cast the die deliberately, cast it so as to favour the admission of the natives of India to Western arts, sciences, and letters. The despatch of the Court of Directors accompanying the Charter Act of 1833, and the statesmanlike exposition of Lord Macaulay on the subject, furnish sufficient evidence. Again, does any man in his senses believe Great Britain could have been ruling the country for so many decades without so intellectual a people as that of India acquainting itself with Western literature, even had it been possible for England to govern without the assistance of Indians educated in the language and literature of the ruling country? The whole conception is from any point of view so ludicrous that it does not call for any serious refutation. Be it an evil or be it a benefit, or be it a mixture of both,

or whatever it may be, so long as England holds India education on Western lines will be a *sine qua non* of its rule. Casting one's shadow when walking in the light of day may be considered artistic or inartistic just as the hypercritical may be disposed, but, so long as we cannot prevent it, it is a perfectly futile theme of discussion. The only question is whether one should feel afraid to grow in stature, simply because of one's own shadow. Should England stamp her foot and fret and foam because the soil has proved so congenial for the seeds she was pleased to sow and could not help sowing? Who can deny that the harvest has been such as has done equal credit to the seed and the soil? Above all, there can be no controversy between the benefits of ignorance and the drawbacks of knowledge any more than between living in a state of light and in a state of darkness. True, the average Anglo-Indian official and the ill-informed British politician alike choose to view the question from the point of view of the way in which it may affect the prospects of British ascendancy. Even from such a standpoint any one can easily see that the dangers of education arise from the fact that knowledge is power, and that power is for ultimate good; but ignorance is no less a power, only it is a power for evil, at times passive, at times so active as to engulf in a moment the best work of a whole century and inaugurate an era of fierce antagonism and animosities. Between the two there is all the difference between the thorns found in a garden of roses and those to be found in an overgrown jungle. The fruition of British rule lies in steadfastly educating India on liberal lines and not in wavering between knowledge

and ignorance, or between knowledge of a restricted character and knowledge imparted by agencies abreast of the progress of the times. Harsh sentiments as to the educated classes have been expressed by men of shallow judgment among the British, but it is they who can value the best side of British rule, correct its excesses and defects, and in fine make British rule at once possible, progressive, and increasingly broad based. But for them no department of the Government could work for an hour, and but for them there would be no improvement in the administration. Above all, if they want an equal share with Europeans in the good things of their own country, they can aid Great Britain substantially in directions undreamt of by the Anglo-Indian bureaucrat, but which can be fairly well perceived by far-sighted British politicians. In ignorance there is no strength, and the ignorance of such a vast dependency as India will prove a greater obstacle and a greater danger than any that is to be feared from enlightenment. If ever duty and interest coalesce to engender the highest political wisdom, it will be in the compliance with the demand that England shall not waver in the faith with which she began what deserves to be called her mission in India and to which she gave a sworn allegiance at the very time when she felt the foundations of her rule sinking almost irretrievably beneath her feet. Let not the petty notion that as India receives more and more of Western education there will be less scope for employment for Britons suggest to England a faltering policy in regard to education. And let not the unreasonable fear that free primary education may become an easy route to the spread of disloyalty

be seriously entertained and allowed to interfere with a necessary and progressive policy. The forces of loyalty and of appreciation of British rule are truly too great to permit one of the most potent gifts of the British Government to be turned to so vile a purpose. These forces have not been given full freedom as yet, but if they are released from all trammels imposed on them by the deficiencies of British rule they will become formidable forces for good; and an educated populace will afford them scope for steady service. Let there be a systematic plan and programme for the efficient expansion of free primary education on lines that will prove neither oppressive nor wasteful of public funds, but will conserve the best features of the indigenous system rendered elastic and economical and suitable to local conditions. Let secondary education be framed on lines that will afford scope for useful industrial employment for the millions of the poor who are now heavily handicapped and on whom practically no benefit of British rule has descended except the rudimentary advantage of police and judicial protection. Let the standard of higher literary education and professional training be devised so as to approach that of the more advanced countries of the world, and last, though of no less importance, let the educational service be so designed as to secure the assistance of men of real eminence in Western learning, and not so as merely to offer an opening for those British youths disposed to solve the question of a career by obtaining the patronage of the India Office.

CHAPTER XIV

PARLIAMENTARY CONTROL

SECTION I

The Atrophy since 1858

ALTHOUGH the East India Company originally derived its authority for exclusive trade from a Royal Charter, Parliament did not remain unmindful of its right of control when the trade with the East began to prove profitable to the realm. Even when the East India Company was no more than a trading corporation in all its undertakings, Parliament asserted and assumed the right of regulating its trade by legislative provisions. The period when a Royal Charter sufficed to create monopolies and claimed "the prerogative royal, which we will not in that behalf have argued or brought in question," could not continue when, at the close of that century, Parliament became the predominant partner in the British Constitution. As the affairs of the East India Company led to territorial acquisitions as a matter of deliberate policy, Parliament also began to realise its responsibilities to the people who came under the rule of the Company. Periodical Parliamentary inquiries into the administration of the Indian territories, and the constitution of the Board

of Control with extensive powers of interference, revision, and initiative, were the methods by which Parliament fulfilled its responsibility to the natives of India under the government of the East India Company. Besides these, special commissions were appointed to deal with particular subjects concerning the government of the Indian possessions; and, to consider the matter from the widest standpoint, it could not be said that there was any serious lack of Parliamentary interest in Indian affairs. This was not merely due to a feeling of wholesome jealousy, which doubtless animated individual members, but to the fact that Parliament as a body realised the justice it was bound to do to its superior rôle as the highest controlling authority of a trading corporation to which ruling powers had been delegated. Not only had it no other interest but to see that the people had justice and equity at the hands of their rulers, but this interest was in itself a sufficiently high motive to secure vigilance on the part of Parliament. However commendable a system of government by delegation of sovereign powers might have been from the point of view that animated John Stuart Mill in pressing for its continuance, it could not have lasted indefinitely even if the Mutiny had not occurred. Not only was it politically an inferior form of government, but it was incapable in its nature of being found compatible with such a state of advanced public opinion as we find to-day in India, which was bound to come into existence as a result of Western education, if of nothing else. In any case it could not but disappear and leave the affairs of India under the direct control of the British Constitution. Although in many respects the transfer

of the country to the Crown has resulted in enduring benefits of a decided character, it has, nevertheless, as we shall show, actually meant less Parliamentary control over India. Where the responsibility for the administration of the country lay with such a body as the Company, it was not only necessary but easy for Parliament to exercise a vigilant and watchful scrutiny over the conduct of the Company's servants and the policy of its directors. The moral responsibility was more easily brought home, and its exercise was not beset with trying and inconvenient obligations. More than it has since ever been, India was then beyond the pale of party politics, for Parliament as a body could approach Indian questions with freedom from party bias and without obligations of party allegiance, and often with a sense that it had delegated its own duties to another body. After the transfer of the country to the Crown, India had necessarily to be assigned to a member of the Cabinet, which has automatically brought it within the orbit of party control, if not of party politics, and has subjected it to all the disadvantages of a party system of government with almost none of its advantages. The Minister who has charge of India has the support of the Cabinet, which has the support of the party in power and a substantial majority in the House of Commons. *India has, therefore, as a constitutional necessity remained a party question with every party, but it has been of no consequence whatever in party politics*, with all parties impartially, as a matter of silent and spontaneous understanding. Always liable to be influenced by party considerations, it has never influenced party considerations; always disposed of

by party fortunes, it has never affected party fortunes. Never since the time of Fox and Pitt has India ever become a turning-point in the party politics of England. It has been outside party politics, in fact, in the sense that it has excited little genuine interest in either party. The material and moral progress of the country, its economic needs and interests, the advancement of its people in their political status abroad and in their own country, have never found a place in the systematic programme of any British political party. In this sense all parties have eschewed Indian questions as being outside party politics. Nevertheless, as a matter of inherent necessity, India has remained a party item—to such an extent that it has become a gross trespass, if not an actual dereliction, involving serious consequences in times of election, for any member of the party in power to bring into discussion any decision of the Cabinet in regard to an Indian question. If the Opposition should ever be tempted to put India in the party programme, they are certain to lose caste for making a party question of India, which in the unwritten code of party warfare is indeed a most unbecoming Parliamentary vulgarity and a serious violation of party precedent and usage. As a result, Parliamentary control has not only given place to party control, but it has done so in favour of a system of party control in which no party has to own any party obligations to India. The fact that the United Kingdom has to be subject to party government is no relevant defence of such a result, because all the affairs of the United Kingdom are the concern of one party or another, and all of them are representative of particular sections of public opinion. In the case

of the Colonies, the question of Parliamentary control is a matter of no moment, because Colonial Home questions are beyond the purview of Parliament. Whereas, in the case of India, while Parliamentary control has been virtually disestablished, party control has come into existence without giving to India any share in the making of parties or marring of party fortunes, or the least vestige of self-government in her own affairs. Indian questions cannot be passed through the mill of British electioneering campaigns, and Parliament has composed itself to the view that India is outside its corporate consciousness, while at the same time the Opposition has neither uniformly and creditably played, nor has had the necessary motive power to play, the part of an efficient and disinterested critic and a competent check on the party in power in the matter of Indian administration. It is on account of this fact that Indian politics have been in that country often a cry in the wilderness, at times a cry of despair, at times a desperate resort to desperate remedies. That is why India has slowly and so late in the day partially succeeded in arousing the earnest attention of thoughtful British statesmen. If, notwithstanding all these facts, India has arrested Parliamentary attention and has been benefited by party traditions and principles in recent times, it has been partly due to the unhappy outbreak of an era of unrest and partly to the commanding personality and the innate radicalism of those who stood at the helm of affairs, at a time when the pressure of political agitation compelled a policy of high-minded liberalism and persuaded British statesmanship to some measure of justice to India. Even to-day,

in spite of a temporary break in the Parliamentary neglect of Indian affairs, should the existing order of things continue, Parliament cannot but relapse into its old attitude of unconcern towards India, leaving the entire responsibility to a single member of the Cabinet, who, more often than not, has represented in his own person a little coterie of bureaucrats of the India Office.

The proposal that, as a remedy, India should be permitted to send representatives to Parliament, raises issues affecting the fundamental bases of the British Constitution in the consideration of which all the Colonies will have a decisive voice. The constitutional maxim, "No representation without taxation," may possibly be surmounted by a contribution to the British revenues from each part of the Empire for the Imperial Navy and Army; but, when all objections are overcome, the difficulty remains that India cannot consent to have any part of her affairs influenced in any manner whatever by an assembly in which the Colonies are a constituent factor, so long as Indians are denied equal rights by the Colonies. Be it the British Parliament or an Imperial Federal Council which is invested with statutory privileges and has an ascertained position in the political constitution of the British Empire, no such scheme can become possible until an Imperial citizenship is evolved in a fully tolerant spirit. If Indians are allowed to enter Parliament, only a few of sufficient means, patriotism, and ability can do so. These may secure seats in the Commons by their own effort or by the help of their countrymen, and of those Britons who have the larger interests of the Empire at heart, and can

now and then make a sacrifice on behalf of such interests. Such an arrangement can at no time be regarded as meeting even the bare needs and requirements of so vast a country to any satisfactory extent. The boast that every member of Parliament is a member for India as well is the silliest pretence to which expression has ever been given, and is in the nature of an insult to the common sense of the people of India in seeking to explain away the uniform indifference of an entire body with an average exception of less than half-a-dozen persons. There is no means by which we can compel Parliamentary attention to Indian affairs, notwithstanding the formation of Indian Parliamentary Committees. If the party system of government has been vitally defective in any respect without any apparent remedy, it has been so as regards the Indian Empire.

If, however, any further circumstance were yet required to complete Parliamentary apathy towards India and ensure Parliamentary indifference except under abnormal conditions, that circumstance has been supplied by the fact that the salary of the Secretary of State is excluded from British estimates, and an Anglo-Indian Council is devised to share with him the control of Indian affairs. If, as a consequence of the transfer to the Crown, Parliamentary control of India became, in the first instance, party control without any of its advantages, in the next instance this party control has become the exercise of final authority as a customary practice by a handful of retired bureaucrats in the name and on behalf of the Secretary of State. The atrophy of Parliamentary supervision under such a system has become complete, and a double wrong has been perpetrated,—

firstly, in depriving the country of sustained Parliamentary interest in its affairs, and secondly, in leaving its destiny even in regard to crucial developments in the hands of the choicest representatives of the superannuated section of the Indian Civil Service. Unless India is expected to reconcile herself to such a system of Parliamentary government and to be treated by each Secretary of State as may suit his spirit of indifference or idiosyncrasy, the present position calls for the most radical solution which the nature of the British Constitution will permit.

SECTION II

The Anomalous Autocrat

The British party system of government cannot be changed because India happens to be a British possession. It is also clear that India can only very rarely, if ever, become an influential factor in shaping the political programme of any party : nor can it be desirable that Indian affairs should become the subject of party warfare. Again, it is plain that all hope of India's sending a sufficient number of representatives to Parliament is illusory, while any scheme of Federal Parliamentary representation including all parts of the Empire is a matter of remote and uncertain futurity. But if these circumstances cannot be helped, those others that have rendered Parliamentary disregard of Indian affairs systematically galling and discreditable may be so abrogated and modified as to make India feel convinced that a change has come over the Imperial attitude as far as present conditions may permit. In the first place, the system which excludes the salary of the Secretary

of State from British estimates is not only financially unjust and politically unfair to India and contributory to Parliamentary indifference, but perpetrates in more than one respect a constitutional anomaly. It is anomalous from the point of view of Parliamentary control of its own Executive, anomalous from the point of view of Indian executive control of its own finances, and a breach of one of England's cardinal constitutional maxims. If Parliamentary control of India is to be an exercise of a privilege, and that really a sovereign privilege which belongs to the one factor of the British Constitution which matters most, then it is indeed a sordid arrangement that the salaries of the Indian secretaries should be met out of the revenues of India. As has been pointed out so often, it is a melancholy exhibition of political meanness for England to say, while all other Parliamentary functionaries are maintained at the cost of the Imperial Exchequer, that India alone should be asked to meet the salaries of her own Secretary and Under-Secretary. If India is considered really fit for the portfolio of a Cabinet Minister, then as a British Cabinet Minister he should be paid out of the British revenues as all other Ministers are. The present arrangement, apart from conveying the clear impression that England grudges the salary of a couple of Parliamentary functionaries because they have the Indian portfolio, creates a most anomalous situation in British politics. Under the present system, since the people of India have no voice in their own expenditure, and since the Government of India has no voice in regard to the Secretary of State, and since his salary is placed outside the

British Budget, he is the one functionary in the British Empire who in every respect stands uncontrolled. He is the true autocrat of India because of his office in Downing Street, and he is the only Parliamentary autocrat because of his charge of India. Indians may well ask how long such an anomaly is to hold, an anomaly which detracts from the sovereign dignity of Parliament and places one of its own Executive outside its control so far as it can be done by his being paid out of another Exchequer. It reminds us, in fact, of the day when British kings were independent of Parliament and the people. The time is fast coming when India will claim to control, subject to certain conditions, every pice of her revenue, and it is not in the possibility of things that a British Cabinet Minister can then be placed in financial subordination to the Supreme Government of India. It is also a breach of that fundamental maxim of British sovereignty, "No taxation without representation," since India is now virtually taxed for the pay of British Parliamentary functionaries without the right of returning her own representatives to Parliament.

In order to effect the necessary change, it is essential that the Secretary of State, who has charge of India, should be converted from an anomalous autocrat, whose official salary is subject to control in neither country, into a regular Parliamentary official paid out of the British Exchequer, and therefore amenable to the fullest control of Parliament, and whose position as such will induce Parliamentary attention to the discharge of his duties. The moral result of the change will in itself be no small gain to India and England, and

the interest of Parliament in Indian affairs will undergo a refreshing and beneficent transformation. It is not merely as a question of financial justice to India, not merely as a necessary change for correcting an unprecedented anomaly in the position of a British Cabinet Minister, not merely to guarantee an effective control by Parliament and to keep alive its interest in India, not only as a step essential for raising the political status of India to its proper place in the British Empire, not merely from each and every one of these points of view that the change is essential; it is equally and indispensably necessary as a complement to any proposals that may be made for securing the autonomy of the Government of India. One of the invariable principles of Indian autonomy, from which no deviation could be permitted, ought to be that no person should be paid out of Indian revenues without being controlled by the Indian Government; and that no expenditure should be incurred out of those revenues without being subject to the control of the Finance Member of India. These postulates of Indian autonomy can become effectual only by removing first of all the salaries of Indian Parliamentary officials from the Indian to the British Budget. To state the same proposition in another way, the Secretary of State cannot draw his salary from the Indian Treasury and remain independent of the Indian Government, as its claims to autonomous powers come to be recognised; at the same time the Secretary having charge of India must become a regular Parliamentary official by receiving his salary from the British Treasury.

The "India Office" need not be an obstacle in the way of such a step, as it may be treated as an

office of record and information, and as an agency for the transaction of business pertaining to the Government of India in England. Its cost must fall on the Indian Exchequer; and, in time, it must become in all respects an Indian establishment in England, subject to the control of the Government of India and maintained out of the costs of India. The Secretaries who have charge of India must cease to be anomalous autocrats, and enter upon a career of full and unreserved responsibility to Parliament, and through Parliament to the people of England.

SECTION III

The Branch Bureaucracy

What has hitherto stood in the way of ensuring adequate Parliamentary attention to Indian affairs has been the existence of the India Council. It has often been observed, under circumstances of varying importance, that India should be governed primarily in India, subject to the control of Parliament, and not in Downing Street, subject to the control of the India Council. It is the absence of a sufficient measure of autonomy for India that has so long stood in the way of the recognition of this principle. With the initiation of reforms that will strengthen the power and widen the field of responsibility of the popular element in India, there will be no need for the continuance of a subsidiary bureaucracy in England standing between the Government of India and the authority of the Imperial Parliament. The Secretary of State, personally and individually, as representing the entire executive control of Parliament, will have to be the deciding authority between the

view of the Government of India and the ascertained opinion of the accredited representatives of the people. This responsibility of decision, in the very nature of things, ought to be an individual responsibility exercised only by the British Parliamentary official who represents it in his person, and exercises the authority of the British Constitution subject to the revisory control of Parliament. To seek to reform the India Council by conceding a selection of two or three of its members from a panel elected by the non-official members of the Indian Legislative Councils will be not only to give up reform in the right direction, but to introduce an innovation radically unsound in character, complicating the whole question in an amazingly inconsequential manner. Nothing but a fit of liberalism, which dare not be liberal in the right way but has no objection to stooping to amusing clap-trap, could have suggested reform on such lines. It only shows that the fundamental requirements of an efficient system of Parliamentary control for Indian administration have been scarcely understood, or that responsible British statesmen have had no objection to admitting novel claims of doubtful value, certain to dislocate existing relationships in a variety of ways. It is undesirable in the highest degree that the Secretary of State should be guided by the weight of opinion of men who have no further responsibility than that of counselling. They represent neither the people of India nor the people of England; as for the Government of India, it can directly represent itself. As a sober fact, they only secure, in a system of government by proxies, the continuance of the vested interests and of the domination of the class to which they belong. They

have been long the custodians of the purest spirit of bureaucracy, and have inoculated almost every Secretary of State with the bureaucratic virus. Under this arrangement the Civil Service not only rules in India, but rules from and for England also; it conserves its privileges and monopolies and perpetuates its prejudices not only in virtue of its powers in India, but also in virtue of the provision made for the practical dependence of the Secretary of State on the advice of its proudest products, who constitute his Council. A good deal of the slow march of Indian progress is believed to be due to the benumbing influence of the Council; and, whatever may be its pretensions to expert knowledge, it has been uniformly regarded in India and by well-informed friends of India in England as a veritable stone wall of bureaucratic prejudice against the progressive interests of the country. Indeed, so great has been its evil ascendancy, if only all the materials for a judgment could be available, that it will not be difficult to establish the contention that, in spite of what some of the Viceroys and Secretaries of State might have attempted to do to meet the demands of Indian progress, they have been impeded, hampered, and restrained by their Council. It has been a drag on the natural progressive spirit of British statesmanship, and a chilling influence on the warm and genial impulses of British statesmen who have held the Indian portfolio. At times even the rare appointment to the Council of one who was not of the official Anglo-Indian corps has been resented, if not by the Council itself, at least by the supporters of the bureaucracy. They regarded it as the introduction of an alien element into a charmed circle, reserved for

those who had set the pace for Viceroys and Governors in India, and were on that account deemed competent to hold the reins of the car in which a self-distrustful Secretary of State, duly deferent to those who knew what to him was not only an unknown factor, but a combination of uncertainty and danger, took his seat. A casteless stranger in a caste Panchayet in India could not have excited greater uneasiness than a non-official or an Indian member of Council unquestionably did before Lord Morley took his courage in both hands and, pronouncing the exorcism of liberal statesmanship, broke the spell of decades, and proved to the British and the Anglo-Indian world that the Indian Empire would not on that account collapse. The next step is to show that the British Empire in India will survive the abolition of this Council, which counselled but had not to bear the responsibility of the counsel, which was always prepared to offer a crutch if any Secretary of State preferred limping to walking, and impressed on every Secretary of State the danger of walking without a crutch in India. The difficulties in the position of the Secretary of State are also enhanced by the existence of the Council. He cannot, unless of extraordinary vigour of mind and of a thoroughly self-reliant nature, act in defiance of the Council, and when he acts conformably to it the responsibility before Parliament and the country is his and not that of the Council. The impression is always that it was open to him to override his Council and that he has failed to do so; and it requires unusual strength of character to ignore its claims to expert knowledge, especially as he has been asked to look upon India as a geographical expression.

If he chooses to walk his own way, realising his responsibility conscientiously but taking no notice of the crystallised articles of political faith kept for his benefit in the India Office, then the cry goes forth that the Council has been reduced to impotency. At the same time no Secretary of State would dare to avow in open Parliament that the responsibility for his action and attitude lay with the Council. Such a farcical constitution of a body of advisers is a financial waste, an administrative irony, and a political barrier, which in its very conception is incapable of improvement and therefore deserves to be completely abolished. The fact that Lord Morley recently liberalised its constitution does not alter the weight of these crucial facts. Most of the members will continue to be Anglo-Indians, and all the members will be under their dominant influence. *The ascendancy of the bureaucracy will be all the greater with the introduction of any portfolio system*; the control of every Indian department in India will be liable to constant interference; if the member who has charge of a portfolio exercise authority in a manner that may controvert the view of the Government of India, provision will have to be made for reconsideration of the subject by the Secretary of State. Besides, if the decision of a member of Council should be called into question in Parliament, on whom is to lie the duty of undertaking its justification? The Secretary of State will be compelled to saddle himself with vicarious responsibility, and the Government of India will have to obey the delegated authority of the Secretary of State. The whole suggestion bristles with difficulties and bodes nothing but a policy of thorough retrogression in the future control of the Indian Government

in England. The only rational way of dealing with the subject is to leave the Secretary of State unfettered in his discretion and independence in dealing with his charge, and not burdened with any other concern in British politics relating to home affairs. Either in overruling or in concurring with the Government of India, either in initiating or in shelving reforms, the entire responsibility must be his and his alone, and he must make up his mind on the material that may be supplied to him by the Government of India and by public bodies. Then there will be a guarantee that Indian questions receive *the independent consideration of a British Minister of State*, who is a representative of the authority of Parliament, and therefore exercises the control vested in him by Parliament unfettered by the shackles of a body out of touch with British tendencies, out of touch with Indian opinion, and without any title to stand between the Government of India and the Secretary of State. So long as he is weighted down by his Council, no such guarantee can possibly be forthcoming, while in fact the conclusion is often tenable that his decision has been supplied by his Council. The India Office must become, when the Council ceases to exist, an office of record and an agency for the transaction of business on behalf of the Secretary of State and the Government of India, maintained out of Indian revenues. In order to facilitate the transition to such a condition, the Council of the Secretary of State should be first altered into the "Committee of the India Office," and its present strength must be reduced as vacancies occur to a maximum of five members with a President, who should be a man of position in British politics

but should have during his tenure of office no seat in either House of Parliament. To this Committee should be entrusted the conduct of the business of the India Office, except the patronage, which should fall within the official purview of the Secretary of State only to be exercised subject to fixed rules. The Committee should have the management of contracts on behalf of the Government of India, subject to such provisions as the Secretary of State may issue in consultation with the Government of India. The holding of reserve funds should be reduced to the necessary minimum so as to be consistent with the most likely requirements of the Secretary of State and the exigencies of the Indian Government, and should be handled as experience suggests and the interests of India permit. The Committee of the India Office should transact all other business, but should not be a Council of the Secretary of State; at its meetings neither the Secretary nor the Under-Secretary should be present. Its main function will be to supply and communicate information, and to give its opinion whenever required by the Secretary of State. By these changes, the India Office will be retained with the Council under the altered designation of the Committee of the India Office, and the Secretary of State will become the sole official responsible for Indian affairs in England, and will be in every sense a Parliamentary officer whose salary will be paid out of the British revenues, and who will therefore be fully controlled by the House of Commons. The next step, after this system has been worked with thorough efficiency, will be to do away with the power, now reserved to the Secretary of State, of consulting the Committee, and later on to place the India Office

entirely under the control of the Government of India as its agency in England, replacing the Committee system of control by that of a single head who may be known by the name of the Director of the India Office. The main changes now advocated are, firstly, the placing of the salaries of the Secretaries on the British estimates, and altering the designation of the Council into the Committee of the India Office, making it optional for the Secretary of State to consult it whenever he likes to do so. The actual business will be transacted by the Committee under a President, subject to the general supervision of the Secretary of State. Later on, it will cease to be consulted and cease to exist as a Committee, and its members will become permanent officials under the control of a Director—when it will become in all respects the office representing the Government of India in England under the control of the Government of India.

It is in these directions that the solution of the problem of the Council of the Secretary of State lies, and not in making it a partly elected and partly nominated Council of portfolio members or a Council of talent and responsibility, which will mean that the Government of India will have to be subject to the control of the Council or of its individual members in the first place, of the Secretary of State in the second place, and of Parliament in the third place. If India requires any control in England it is *Parliamentary* control—*the control of a popular legislature which is accustomed to view questions of policy from a higher standpoint* and can counteract the baneful influences of a bureaucratic system of government which cannot be dispensed with for a long time—and

not the control of an additional barrier between Parliament and the people. It is the control, not of a handful of men who have gone back to England after having played the part of satraps here, and will therefore naturally uphold schemes and systems that can only thrive under satraps and are consistent with the maintenance of their autocracy, but the control of a larger body where conflicting opinions are certain to be heard, where in course of open debate the affairs of India will receive the attention due to a great empire. This will be a check on official vagaries in India and official indifference in England, and will go to convince more than a sixth of the human race that their destiny is amongst the treasured responsibilities of the British nation and awakens its concern as well as its fearless deliberation. It is this control that is necessary in England, and provision for practical administration should be made in India so that it may be governed by the introduction of such principles of autonomy as will tend to ascertain and give effect to non-official opinion there, under conditions that will guarantee the continuance of British supremacy. Unless the Secretary of State be released from the burden of a Council and appointed a British Cabinet Minister, drawing his salary from the British Exchequer and therefore liable to Parliament in the same way as other Cabinet members, he will not be face to face with the great responsibilities of his imperial office in his Council. A screen will continue to exist between him and his duties, while the non-provision of his salary from the British revenues will mark him out as an anomalous autocrat liable only by courtesy to the criticisms of Parliament. That anomalous position of his must

go, and the equally anomalous Council of his, which is at once a drag on his judgment and a convenient peg on which to hang his responsibility if he chooses to do so, must also find its way out of existence by a change in its designation, status, and function. Parliament itself will then feel its responsibility towards India sufficiently keenly to ensure that Indian questions will neither empty the House nor lull it to sleep. Then the assumption of the government of India by the Crown will be complete, and the transfer of the country to the Crown fully effected; but until then that assumption of direct responsibility will be more nominal than real.

It has been said with more cynicism than truth that, if India comes to be lost to the Crown, she will be on the floor of the House of Commons. No Indian, however, believes that the one institution which seems to him to embody the best of British traits and traditions will, as a result of anything that might take place in it, weaken the hold of England on India. In this respect the most candid discussions in Parliament are not one-tenth so mischievous as the rabid writings that mar a section of the British Press in India and England. India may be nearly lost in the columns of this section of the Press; but even that we may dismiss, considering it not even a warning, but a mere characterisation of the criticisms of a section of British and Anglo-Indian journals. A greater probability than either of these is that India may come to be lost if the free and fearless scrutiny of the British Parliament for the good of India fails her and her higher destinies continue to be placed in the keeping of proxies in India and in England whose interest lies in perpetuating their own power everywhere.

The British nation should recognise that the Civil Service is after all only a good servant, and to treat it as the master of the situation at home or in India will be to leave the people of India without that hope on which they have been subsisting all along. It will be impossible to place India under complete Parliamentary control and release her from the grip of the Civil Service unless the Council of the Secretary of State is abolished, and he becomes the sole deciding authority, fully subject only to the control of Parliament. Then, along with the other reforms, Indian autonomy will be so far complete as to guarantee that India shall not be lost on the floor of the House of Commons, or in the columns of the British or Anglo-Indian Press, or by being condemned to the rule of an official "caste" oligarchy in India as well as in England.

CHAPTER XV

RETROSPECT AND PROSPECT

SECTION I

The Secret of British Rule

A PERIOD of three centuries and a decade separates the grant of a Charter by an English Queen to a body of London merchants, which conferred on them the monopoly of Eastern trade, and the Coronation Durbar of a British King at Delhi as the Emperor of India. For a century and a half of this period the British settlers followed trade as their sole occupation, their military enterprises being confined to the protection of their merchandise on sea and land, broken by exploits in the way of capture of foreign merchant vessels according to the trade morality of the age. During these one hundred and fifty years the East India Company had more to do with its rivals at home and abroad than with Indian princes and potentates. The development from trade to Empire may be said to have covered a period of eighty-two years, extending from the seizure of Arcot in 1751 to the abolition of the trading functions of the Company in 1833 by the Charter Act of that year. This process of conquest, if conquest it could be called, reveals the real political relationship between England and India ;

and if properly apprehended by partisans of the school of perpetual benevolent despotism on the one hand, and by the extremist party of Indian Independence on the other, will lead to a substantial modification in the one-sided position of both. The common view of British-Indian history, that the East India Company came to India with a pair of scales, picked up a sword, and either stumbled upon an empire or by dint of intrigue took possession of it, is only a little more unhistorical than the other prevalent doctrine that British dominion in India is the result of conquest pure and simple, and entirely an acquisition of the sword. The events of Indian history between 1751 and 1818, between Arcot and Ashty, with the background of a century and a half of British trade, will, if dispassionately considered, amply demonstrate that India came into British possession neither as a windfall nor as the reward of persistent intrigue nor as the prize of unaided conquest. England's position in India is to a great extent that of the successful claimant on the spot at a time when Indian spoils became available to Western nations, but much more that of an accepted sovereign and paramount power for the good of the country. It is not difficult to be positive as to what would have been the result if, in April 1601, it had been proposed that in the place of a merchant fleet an invasion should be fitted out for the conquest of India. The proposal would not only have been ridiculed and dismissed as a most chimerical suggestion, would not only have been regarded as too dangerous an undertaking to merit serious consideration; even had it received the sanction of the State it would have provoked the

combined hostility of the strongest powers in India. As it was, Providence willed that what was to be of momentous consequence to the East and the West should take the line of least resistance. The future rulers of India came not as invaders but as *bona fide* and reputable traders, bringing credentials, and in fact profited the realm to which they came by an exchange of commerce. They maintained this character long enough and honourably enough, considering the inefficiency of Provincial Governments in those days. The ludicrous travesty that trade was but a mask, and fomentation of dynastic dissensions the chief instrument in a plan of conquest, is no more than a misreading of history, arising out of a total lack of insight into the play of forces which determine political destinies. Almost the very first British ambassador who came out to India a few years after the Company had carried on trade pointed out that traffic and war were incompatible, and enjoined on the Directors to "seek profit at sea and in quiet trade." This injunction was acted upon until the political conditions and the relationship existing between the rival European Companies in India became such as irresistibly to draw the British from trade to statecraft. By the time that Aurangzeb reimposed the Jazia and warred with the Rajputs and the Mahrattas on the one side, and the Shia Sultans of Bijapur and Golkonda on the other, the political state of the country had vastly changed from what it was when Jahangir ascended the throne of Akbar. Similarly, European nations gradually acquired a wider field for mutual reprisals in their respective spheres of trade, and this in its turn reacted on the character and outlook of the Companies them-

selves. Thus those who had the direction of the affairs of the East India Company at the commencement of the eighteenth century had to fall back upon naval and military supremacy to preserve themselves and their trade from sudden attacks of spoliation, and to strengthen their hands by availing themselves of all possible resources. Among these the most serviceable were of course defensive and offensive alliances with the ruling houses of the country. The Portuguese had already rehearsed on a small scale on the Malabar sea-board the effect which such alliances could have in the promotion of the interests of a European Company as against its rivals. But the theatre in which a trading Company might play an effective or extensive part in the succession to Indian kingdoms, from which was to come their opportunity, had not then been fitted up. It was not until the general disruption that commenced towards the close of the reign of Aurangzeb had well advanced that India began to present the scene which suggested to Dupleix what an alert European power could do in the temporary condition of the country. If the French were the first to perceive the opportunity and to advance towards it, they had soon to reconcile themselves to being outstripped in the race, and within a few years to abandon all dreams of territorial and commercial ambition in the East. Even if no Dupleix had come out to India, the rivalries of the ruling houses would have driven the British from an attitude of political neutrality and exclusive adherence to trade. The opportunity was not a creation of the French or of any other European Company; it was identical with the political conditions of the country, just as the equipment of a European

Company was not designed in those days in the first instance for the acquisition of territory, but only for securing trade, profit, and safety. The political condition was indigenous to the country, the naval and military outfit was indigenous to the state of commercial morality of the age. The inevitable result followed; what were not meant for each other nevertheless served each other in the unrevealed purpose of a higher providence. Lured by the gains of trade, each European Company was really sent to India for securing a higher object, and for contributing towards a greater destiny without even remotely dreaming it. Sir Thomas Roe, who had some insight into the signs of the times, misconstrued what he saw and read. He warned the Company not to scatter the merchandise, "for the time will come when all these kingdoms will be in combustion." He failed to see the possibility of a strong British control of India being forged during that conflagration. The process lasted for a period of sixty-six years, if we regard the Mahrattas as the last power to hold out against the supremacy of the British, and about ninety-eight years if we believe that the Sikhs were the last Confederacy to accept British authority; however that may be, with the passing of the Charter Act of 1833 the trading functions of the Company were terminated, and the march from trade to Empire had both theoretically and practically been accomplished.

That process of transition from commerce to dominion is unique in the history of conquests, and shows at a glance the foundations of British supremacy and the nature of the title by which England holds India. Had Clive marched from Plassey to Delhi,

planted the British flag on its ramparts, and annexed the whole Empire by a single step to the Imperial throne, the process of conquest would have been avowed, complete, and far less debilitating to the country. Far from embarking upon any such enterprise, the man who started the march from trade to territorial possession preferred to obtain at the first available opportunity the rank of a subordinate official of the Company, which in turn derived its authority from an Imperial Government then gasping for life. Clive's policy has been described in the glowing pages of Macaulay as corresponding to that which the successful Mayors of the Palace adopted towards their puppet kings. The comparison may hold good to some extent in the case of the consummate Peshwas who ruled in the name of the effeminate monarchs of Satara; but Clive's seizure of the Dewany was not of that order. It was far from Clive's intention that he or any other servant of the Company should play the part of a Minister to the Mughal and carry on the affairs of State in the name of a decadent authority. He looked upon the Dewany as complete in itself and as a substantial possession of great value to the Company; but he by no means regarded it as a title to enable him to play the rôle of an Imperial Mayor of the Mughal Palace. It was not his plan to rule the Empire by ruling the Emperor, as it was assuredly that of the astute Mahrattas who grasped the prospect of acting the part of Imperial Wazir, or of standing out as the protector of the Emperor's person and authority. Nor did Clive's vision extend to a united British India supplanting the Mughal and completely overcoming all principalities and refractory confederacies.

To blast the prospect of the French in India, and thereby to add to the profits of trade, territory, and revenue as opportunity rendered it prudent, was all that in the best interests of the Company and his countrymen he thought desirable.

Between the acceptance of the Dewany in 1765 and the conclusion of the Mahratta wars in 1818, nothing is more remarkable than the fact that it was not a policy of conquest for which the agents of the Company in India contended. If Clive, who laid the foundations of territorial possession, contented himself with a Dewany from the palsied hands of an effete emperor, Wellesley, the master architect of the British Empire in India, strove acknowledgedly not for conquest but only for paramountcy. Nor can it be forgotten that in bringing about the establishment of that paramountcy there was not a single battle in which Indian troops did not largely outnumber and stand side by side with the British soldiery and fight for the triumph of a common cause. From the capture of Arcot by Clive to the suppression of the Mutiny by John Lawrence, there was not a single engagement in which the Indian sword was not raised alongside the British sword for the success of the cause for which the natives of India and the natives of England fought as allies. The transition from trade to Empire was therefore a process not of conquest, but of establishing paramountcy with the aid of the Indian sword, with the aid of the ruling houses of India, and in countless ways with the aid of the common people themselves. To speak of the British "conquest" of India is to be ignorant of the real drift of Indian history since the break-up of the Mughal Empire. To assert that

India should be held by the sword, meaning thereby that it should be governed without an effective voice in its own affairs, treated not as a country which co-operated with England in establishing British rule, but as though it were a land annexed to England by the unaided achievements of the British army, is to counsel in the plenitude of political folly and out of the fullness of historical ignorance. Indian history from Clive to Kitchener affords ample material both of a positive and a negative character for an impartial estimate of the theory of British conquest and of the danger of cherishing ideas born of such a theory. The Governor-General who, under the East India Company, acted in the belief that strength of arms alone would suffice for upholding British authority in India, brought on the extinction of the body whose executive agent he was. The policy of Dalhousie was the direct antithesis of the policy of Wellesley, being truly a policy of conquest by following the simple expedient of annexation whenever a suitable opportunity presented itself; he did not conceal that it was his aim to sweep out of existence "the princelings and kinglings of India." He saw, and no doubt rightly, that the East India Company was all-powerful, and he concluded therefrom that its agents in India could by a stroke of the pen obliterate ruling houses, some of which had enjoyed considerable political ascendancy at a time when the East India Company was not even a political power. He thought, no doubt, that he could contemptuously kick away the ladder by which the Company had risen to suzerainty; and for the time being he felt not only that he had done an honourable act, but that he was perfectly safe and

secure in doing it. If he showed thereby that he did not care to submit his action to the test of political justice, he also demonstrated amply that he was completely bereft of the vision of the statesman. In fact, his attitude throughout his Governor-Generalship was that of a man who did not care to consider whether what he did was right or wrong, so long as he could do it with impunity. To this moral obliquity was added in his case the folly of a man who did not know that he was preparing a mine beneath his seat of authority. He had the imprudence to assure his countrymen within fifteen months of the outbreak of the Mutiny that he was "leaving India in peace without and within," "having annexed in eight years four kingdoms," "besides various chieftainships and separate tracts," and added four millions sterling to the public income. His own organ, *The Friend of India*, precisely a year before the outbreak of the Mutiny, waxed eloquent on the policy of annexation in the following terms: "The policy of annexation may be considered secure. One by one its opponents are convinced, or confess by their silence that they are logically defunct. The dreamers who feared that the Empire will be weakened by the extension, and the Orientalists who believed native government better than civilised rule, are already for practical politics extinct." The real dreamers had too rude an awakening when they found the promise to "native governments" flaring in their faces: "We desire no extension of our present territorial possession"; "We shall respect the rights, dignity, and honour of native princes as our own." The fate of Lord Dalhousie's policy has demonstrated what a folly it would have been if Great Britain

had embarked upon a career of conquest at the time when Sir Thomas Roe clearly saw the prospect of a general disruption, or nearly a century and a half later when Clive outwitted the French and secured territorial possession, or later still when "the glorious little man" offered war and peace to the kingdoms of India for their own choice, and advanced British rule in India from mastery of scattered possessions, and from its position as one amongst other powers, to paramountcy and predominance. Forty years after the conclusion of the Mahratta wars, when Lord Dalhousie, as the occupant of the edifice built by Wellesley, acted, on the strength of his sword, as though paramountcy were equivalent to despotism and carried no moral responsibilities, his countrymen found that the foundations of Wellesley still held good and could not be disturbed without involving the ruin of the edifice. Those foundations they solemnly promised to respect as though they were the basis of their own authority in India. Almost exactly half a century later, when a Governor-General emulated Lord Dalhousie in the spirit of his statesmanship, and espoused the theory of British absolutism by word and deed, he forced India into a period of unrest the like of which had not been witnessed ever since it came under the Crown. It is not necessary to survey his regime, but to show how exactly like Dalhousie, whose faults and merits he seems to have shared, he failed to realise the immediate effect of his own policy, we shall only quote a single passage from his last Budget speech. In the peroration Lord Curzon said he looked back upon the past "with gratitude that the opportunity has been vouchsafed to my colleagues

and myself of giving so definite an impulse to all that makes for the growth of the prosperity of a people and the safety of an Empire." Projecting his vision into the immediate future, he declared: "The harvest is springing up; indeed, the green shoots are already high above the ground that will ten thousand times repay the exertion and obliterate every scar." The green shoots high above the ground concealed within them, as events have shown, anarchy and sedition, unprecedented in its annals ever since the assumption by the Crown of the direct control of the government of the country. These green shoots deceived his imagination just as "the peace without and within" deceived Lord Dalhousie's. When, however, the crisis came on both occasions, when Lord Dalhousie thought that he was leaving the country in peace, and Lord Curzon satisfied himself as to "the green shoots that will repay ten thousand times," it was simply because each in his day and sphere of control mistook the fundamental character of British rule in India, and felt assured that it was no more than an absolutism resting on the strength of the British sword, and in the keeping of a governing caste in India. In both cases British statesmanship, by the reforms that were introduced in India after the proconsulship of each, showed that it judged the conviction of each a political blunder. In spite of that adjudication, and of the reforms that followed it on each occasion, there is yet a disinclination on the part of British authorities to free themselves entirely from such political cobwebs as that "India was conquered by the sword," and "should be held by the sword" in the sense that it should be governed only on lines of benevolent despotism. If India were conquered

by the sword, it was by the British and the Indian sword alike; if it be held by the sword, it is again by both of them alike. British rule in India has been from the very beginning the concern, not of one party, but of two parties; its foundations lie deep down in the sacrifices of both nations, cemented by mutual faith and upheld by the best among them. To describe such a possession as resting on the sword is to be guilty not only of a historical perversion but to some extent of ingratitude, and to be completely blind to the moral basis of British rule. It is, in fact, to degrade its real character in a spirit of political fatuity and to deprive it of the most powerful support that a foreign dominion can ever hope to have. Historically the theory is faulty if not false; as a rendering of the moral aspect of British rule it is erroneous if not stupid; as a creed of statesmanship it is positively harmful if not malicious; even from the point of view of statecraft of a low order it is dangerous, as it implies that, if the people of India lost their country by the sword, there is neither anything morally wrong nor anything historically improbable in their recovering it by employing force. Those who expressly or by implication formulate such a theory after all these years of British rule, after so much Indian and British blood has been shed, and after so many decades of British and Indian co-operation, can only be blessed with a vision which can extend no further than the end of a quick-firing gun. That British statesmanship should be influenced to any extent by such an undercurrent can only be due to a malignant spirit which, if not overpowered, will bring to the dust the labours of centuries.

The secret (which has been described as a political

marvel) of a trading Company's obtaining possession of an Empire has lain, in fact, in the innermost appreciation of India that its political needs can be satisfied by England's paramountcy. It does not assuredly consist in a process of "hypnotism," as has been asserted in some quarters, but in a deep-rooted conviction which again and again has displayed itself, even in times of violent stress; it is the conviction that the future of India lies in making the British Government subserve all the purposes of a national rule, which has again and again evidenced itself in moments of despair and at times of trying excitement. So long as the better mind of India holds fast to this conviction, British rule may be certain of a firm anchor in spite of all the blunders of policy and errors of judgment on the part of those at the helm and those who ply the oars. As often as British agents in India, in the weakness of untrammelled power, have plunged the country in a whirlpool of disaffection, so often has this conviction prevailed with the thoughtful and judicious section of the community and acted as a strong embankment against the waves of discontent. It was this faith which led to the establishment of British sovereignty at the dawn of British-Indian history; it was the violence done to this faith which led the Government into troubled waters; it was again the same belief, to which the more self-restrained majority has always clung as a political creed, that along with other forces brought back the vessel of state into the haven of peace and goodwill; and on the restoration of normal conditions the efforts of British statesmen have always been to strengthen this conviction. To replace such a faith in the sustaining factor of

British rule in India by formulating a belief in the all-sufficiency of the sword is to exchange, in an unprecedented undertaking in the art of political navigation, a vessel with rudder and sails manned by a loyal crew for a canoe and paddle.

SECTION II

The Perils of British Rule

If, then, the value of such a conviction in the government of the Indian Empire be recognised, it logically follows that those features of it which have sprung from a contrary conviction and are calculated to undermine that faith should be abrogated. Among the most conspicuous of these features is the difference which the law of the land makes between Indian and the British subjects of His Majesty. That the penal law of the land should distinguish between Europeans and Indians accused of offences is too serious a blot to be silently passed over by the friends of England and India. When such is the case, most of those who have as judges and jurors to administer justice between a European and an Indian cannot but be affected by a spirit of racial differentiation. The belief is universal, and not without foundation, that where a European and an Indian come into conflict the latter goes to the wall, and British justice fails to prevail against the delinquent European. The cases in which European subjects have maltreated Indians, often causing death, and have been dismissed with an inadequate punishment, or none at all, have not only brought British justice into disrepute but jeopardised British ascendancy in a manner that

no Englishman can possibly realise. They have forced upon Indians of all ranks the bitter lesson that they should learn to look upon themselves, not in a self-governing colony, but in their own country, as a race branded by the law of the land as servile. Law that should be supreme and no respecter of persons, justice that should be impartial and colour-blind, have both been subordinated to the advantage, *not of the most deserving among the British*, but of persons accused of brutal offences against defenceless men, and, what is infinitely more painful, against helpless women. This evil has vitiated the entire atmosphere of the relationship between the two races, and has often led to any British nondescript's behaving as though he held in subjection India's more than 300 millions. In the trains where Europeans and Indians are, in spite of their disinclination, necessarily brought together, the conduct of the European has often exasperated the most warm-hearted devotees of British rule in India. There will be no good in issuing circulars and notifications, and addressing after-dinner homilies to bring about a better relationship, so long as the law of the land deliberately keeps a dividing barrier between European and Indian subjects, and protects the accused and the culprits among the former by special privileges and exemptions. Once it is realised that they are no more than British subjects in India on the same footing as others, and Indians come to enjoy equal consideration in the eye of the law, the temptation to maltreat Indians will be withdrawn, and they will have no longer to labour under resentment at one scale of punishment, one kind of procedure, and one sense of justice for the European and another for the Indian. The

present policy of racial preference in the law of the land has been justified on the ground that, if the British do not as the ruling race possess special privileges, their prestige will be impaired. This contention discloses that condition of political lunacy in which the patient mistakes poison for nourishment and seeks security in danger. Whatever might have been said on behalf of such a policy in former generations, it is not only utterly indefensible but positively dangerous at the present day, as it affords an effective handle for those who, in a spirit of irreconcilable hostility, make every use of it to foment antagonism. *After all,* have the British laboured and built up their dominion in India simply to rear a canopy of protection and privilege over the heads of men accused of criminal breaches of the law against the subjects of the King? India may be a land of castes, but time after time, in coming under foreign dominion, it has paid the penalty of being so. Does Great Britain, by upholding a political caste in India, desire that British rule shall come to pay a similar penalty? It is painfully true, no doubt, that its people have endured unthinkable cruelties and crushing miseries under some of its former rulers; but does not history record that those very offences brought about the downfall of those rulers? If Tippu mutilated and massacred an unoffending populace, and made conversions to his creed at the point of the bayonet and beneath the feet of the elephant, if Aurangzeb systematically persecuted his non-Moslem subjects, their tyrannies and their follies, as the British themselves can testify, brought about their downfall. Does this mean, then, that there is no danger if there is one scale of

criminal justice for the European and another for the Indian? If British rulers will take a leaf out of the book of Aurangzeb or out of the much older book of Manu, and persuade themselves therewith of the need of a ruling caste in India, do they then desire no more than the fate that ultimately overtook the sovereignty of the one and the polity of the other? From every point of view, and from every source of information and enlightenment, the conclusion is irresistible that the maintenance of a governing caste is not only a blemish on but a menace to British rule. The failure of Lord Ripon, who in constructive statesmanship will rank with the greatest men England has sent out to India, to redeem British rule from so vicious a bondage, has cost it more than a serious reverse in the field could possibly have done. Had British statesmanship triumphed in the attitude he then took, and progressed along the lines he then sought to lay down, the history of British India for the last quarter of a century would not have been a history of fruitless agitation, of bureaucratic obduracy, and of unthinking disdain of popular demands for nearly two decades. The country would have been spared the violent developments which followed, and all the painful struggle and travail before the dawn of political wisdom returned. At least now in the growing light of this dawn, British statesmanship may make up its mind to refuse to be thwarted once again in consigning to oblivion the policy of countenancing differences in the sphere of law and justice between one class and another of His Majesty's subjects.

The next feature of British administration which militates against the conviction that British rule in

India can subserve all the purposes of a national Government, is the policy of adding to the dead weight of Indian maintenance expenses by making the Public Service of India an avenue of employment for men of British descent, and of doing this in such a palpably unjust manner as to deny equality of opportunity to the natives of the country. Sir William Hunter, in his masterly delineation of the short-lived dominion of the Portuguese power on the west coast of India, has described in a vivid passage how India became the favourite haunt of those who stood in need of a source of living. "It (Portuguese India) became," he writes, "the asylum for those who had claims that could not be satisfied, or who had rendered services that could not be acknowledged, or had received promises that could not be fulfilled." India under British rule has not yet lost this character, and if British policy in this respect does not stand out in such full enormity as the Portuguese policy in Sir William Hunter's volume, it is partly because British India is immensely greater in extent than Portuguese India, and partly because we lack the necessary perspective, and partly again on account of the commercial genius of the British people which systematised the distribution of offices among British candidates for employment. In spite of the enormous difference that this last circumstance makes, no one can deny that the vice of treating India as a country that promises "careers" to young Britons is still prevalent. If India should continue to be subjected to the disability of being so treated, *the systematisation* of the Public Service of India so as to afford scope for such treatment will, in one respect, be a worse contrivance; because it must mean either

systematic over-taxation or a systematic withdrawal of financial aid from the important requirements of the country. It means also a systematic drain of a considerable portion of the taxes which would have otherwise been utilised in the country itself. What Sir William Hunter has called "that cynical rule for the gain of the rulers which for a time darkened the British acquisition of India in the eighteenth century," was not less of a financial drain than the systematic disregard of the country's economic interests under the Crown, as regards both recruitment to the Public Service and the development of Indian manufactures. If India, then, as an accompaniment of the establishment of British paramountcy, was made a prey to the greed of no small number of military and civil adventurers, and of men of a higher rank who consolidated British authority, Indian interests to-day are subordinated to a capitalist plutocracy in England and an intellectual upper and lower middle class which comes out to India. Not until such a system is changed can it be said that "the period of cynical rule for the gain of the rulers" has ceased to exist even at the commencement of the twentieth century.

But a third test, a somewhat harder test, which should be complied with before the British Government can fulfil the purposes of and establish its complete identity with a national Government, is in regard to the defences of the country. The demartialisation of the people of India might have been at one time dictated by a desire to facilitate the establishment of the Pax Britannica, and prompted by counsels of prudence; but in the new era of constructive statesmanship that has now begun, and

in the expanding political consciousness of the Indian people, it will be neither prudent nor righteous for Great Britain to decline to make a departure from that policy. England's moral sensibility must certainly be keen enough to perceive that not all the blessings of peace and progress which she may confer can possibly compensate for the practical impotency and helplessness to which India will be reduced should the protecting arm of Great Britain be withdrawn at any time from the country. British occupation of India has been inevitably responsible for the extinction of the military genius of the country and for ushering in a condition of peace which has practically tolled the death-knell of the country's capacity for unaided self-defence. That peace has cast a shadow on the land in which men have become mere automata, dependent upon a paid and foreign army to secure safety from external aggression. Intensely grateful as India is for the present protection of Great Britain, she cannot possibly escape the fear that must haunt her perpetually as to what may await her the moment England may have to leave India to take care of herself. Much of the history of Europe in Asia is not ancient history, and much of it has been of comparatively recent date; there is therefore abundance of material for Great Britain to be convinced, especially after the aggressive trial of strength which Germany entered upon in the twinkling of an eye against so powerful a combination, that no European Power can be absolutely certain, without any possibility of miscalculation or error, that it will indefinitely continue its sway over an Asiatic country, in view of the silent jealousies and open rivalries of European nations. A few years

hence, the lot of Germany may become that of any other country, a present ally or a neutral Power. What we would emphasise is that there has been no surrender of ambitions in perpetuity in favour of Great Britain on the part of all the Powers. The people of India will be in India whether or not England always continues to hold their country. Is it statesmanship of a high order for England to leave India in abject ignorance of the science and art of modern warfare and modern methods of manufacturing arms and munitions ? To train India not only in Western arts and sciences, but in Western methods of self-defence, which alone can safeguard the former, is a responsibility that will become quite obvious, if only England will realise for a moment the condition of India if she should be disabled from holding the country. The establishment of her rule has caused this country no little bloodshed, both on her side and on the side of those who fought against her; and at least as a return for this bloodshed India is entitled to be efficiently trained in the European school of warfare. If one recalls what unblemished valour, what talent for military strategy, what striking capacity for military organisation, and what marvellous aptitude for raising hill-forts, fortifications, and citadels existed in the country less than seventy years back, and how quickly we are becoming complete strangers to all these qualities of head and heart, to the very virtues of manhood, as it were, one cannot help feeling that the peace of India has been purchased not simply at an enormous price, but at the cost of the very manhood of the nation, and by the virtual surrender of its birthright of self-defence. The heroism of the Rajput, the daring of the Mahratta,

the valour of the Sikh, were not the only martial assets of the country when it became subject to Great Britain. Almost every part of the country furnished men of excellent physique, self-restraint, and courage for purposes of recruitment; even to-day in many districts recitals which seem to recall the memory of a Thermopylae and the achievements of an Horatius are sung by village folk, and seem to bring back the martial glow and colour of those times to the pallid Indian of the present day. Even now there is ample material in the country to make one believe that something more than a memory of the past still exists. Nor is it only in the ranks of the common people that this material is to be found; the poorest Rajput is still a warrior and a ruler by birth, and has lost nothing of the spirit that once animated him as the divinely appointed protecting arm of his country. Although he has not fallen under a cloud of suspicion as the Mahratta has, he has been overtaken by a dense fog of imperial indifference. The scions of the ruling houses of India and of those many noble families whose founders once rendered no negligible service but whose descendants to-day, under the name of Zemindars, feel their insignificance by the side of a Sub-Inspector of Police, can all be utilised for a noble purpose if the Government will only take the step in right good earnest. The educated classes, again, need not be alienated from the confidence of the rulers to the extent of being disqualified from joining a volunteer corps on the ground of being the natives of the country of pure descent. Any man of real or fictitious mixed descent, perhaps brought up in an orphanage with no parentage to own, may wear the King's

uniform and bear arms for His Majesty; but an Indian whose father may have been a distinguished judge and a jurist of the highest repute, a talented professor, or a successful Dewan, not of one state but of three states, earning the distinction of an Indian Turgot, and although he himself may be a robust specimen of a British citizen, must nevertheless reconcile himself to the infamy of perpetual disability for no other reason than that his mother, perhaps a very flower of womanhood, is also an Indian. Such a bestowal of the right of volunteering is apt not only to bring the uniform into disrepute, but to convince the Indian community that the policy of trust is as yet as far off as ever before, and that our equality of rights even in India exists only in name.

To come to constructive proposals: If the Arms Act is to be retained it should be made equally applicable to all classes of His Majesty's subjects; Indians should be under no racial disability in regard to volunteering; military schools and colleges should be opened for the training of young men of respectable families who may have an aptitude for a military career; in the Indian army there should be no barrier between Indians and Europeans either in regard to Indians being posted to commands or to their admission to any section of the army; recruitment should be more largely from the fighting stock of India and not to an increasing extent from the frontier tribes, as has been the case recently; Indian military settlements manned by the ancient and approved fighting stock of the country should be established on the frontiers on free tenure, so that the frontier may become the

habitat of an Indian military population domiciled therein; the formation of territorial units should be undertaken, to increase the military strength of the country at a much less cost than could otherwise be possible. After the isolation of Burma from the rest of India during the time that a single German cruiser was in possession of the Bay of Bengal, and the havoc the vessel played on the east coast of India, the importance of an efficient Indian Navy which can at least engage the enemy until the British fleet can come to our help has become patent beyond doubt. A naval school should be established, and the Indian marine should be gradually developed into an Indian Navy with provisions for the training of Indians in all branches of naval service; Indians should also, as funds may become available, be trained in the manufacture of arms and munitions.

The above are extensive suggestions, no doubt; but they are extensive because too much has been allowed to remain unfulfilled and unattempted; in the light of the German challenge to British supremacy and Indian safety, they are by no means extravagant. We do not contemplate that all of them should be carried out simultaneously, or that any of them should be undertaken without necessary safeguards; all that we urge is the recognition of the central fact that the military policy of India should be such as gradually to enable her to defend herself, not only with her own financial resources, but with the strength of her own arms. The British troops must gradually become merely an additional safeguard and leave the Indian troops in strength, training, and organisation *fully* competent and sufficient for the defence of the country so far as the

supply of *men and officers in every branch of the army* is concerned. To advocate that India should be kept feeble and demartialised, in order that she may be controlled more easily, is to ask the British to follow the example of Robinson Crusoe, who kept his live stock alive but maimed. To leave the Indian section of the army a mere auxiliary to the British troops, incomplete and insufficient in itself for purposes of efficient defence, and to deny to its men offices of command, is to secure the dependence of India on England by resigning her with all the achievements of British rule into the hands of the first invader, when British arms can no longer avail us. If any body is entitled to succeed to the heritage of Great Britain's work in India, unquestionably the natives of the country are, and there can be no reason whatever why Great Britain should deliberately pursue a policy tantamount to an act of disinheritance. To believe that the safety of British rule requires the adoption of such a policy is for England to be doubtful of her destiny in India, and of her own power of raising the great dependency to a position worthy of a century of British tutelage, or of India's capacity to benefit by such an effort on the part of England. Soberly examining the entire past of Great Britain, there is no warrant for the doubt or the fear, and whatever might have been entertained should have been completely dispelled by the magnificent stand India has made since the outbreak of the war. India has been described as England's right arm in Asia, but it will be long before the country merits the title and fulfils the rôle. Until British military policy ensures for India military autonomy in the sense that her military

defences will not only be maintained out of Indian revenues but fully and unreservedly provided for out of India's fighting stock, it will be more correct to say that England has its own right arm in India than that India is England's right arm in Asia. India, in surrendering herself to England, has given her sword also; it would be unstatesmanlike to disarm her and render her helpless on that account; rather that act of fealty should cast upon England the obligation of making India strong not only with the strength of her native valour, but with the resources of Western military science as well. Then will India *in her own personality* stand out as England's right arm in Asia, and render England's position in the world incomparably superior to what it is now. Then will she be in a position to defend herself against any possible assault at a time when England's resources may be needed to safeguard British integrity in Europe.

We have so far dealt with British policy in relation to internal affairs, but there are two problems of British influence rather outside the area of internal policy which have a close bearing on the future of British rule, and to these a brief reference is necessary. They are raised by the Imperial attitude, firstly towards Native States, and secondly towards the colonial question. An historical treatment of either is outside the compass of the present undertaking, but we may briefly set forth what is essential in each sphere for strengthening the moral hold of Great Britain or India. Sir William Lee-Warner, in his work on the Protected States of India, raises an interesting question which seems to furnish a clue to the feeling with which the average British administrator in

India regards the feudatory states. He asks how it comes that they escaped the British tide of conquest which submerged two-thirds of the continent of India. Sir William Lee-Warner's question shows that even men of his historical knowledge can yet lack historical insight. The fact is that the tide of British conquest flowed from the tableland of what are now called Native States, and submerged those others which could not rise to a higher level and would not consent to keep down to the level of the states that fell into the scheme of British paramountcy. The very imagery of an overflowing tide of conquest is essentially unhistorical; never was there any such tidal wave; there was no doubt a wave of annexation during Dalhousie's regime, but this was lashed into such a seething foam that the conditions which made it possible were completely eradicated. Previous to that, the struggle of the British power in India was for paramountcy, and the Protected States *were virtually the very ground from which that power asserted its claim and in the end made it good.* To imagine, therefore, that these states escaped a tide of conquest is to labour under a misapprehension, and to wonder at their good fortune in escaping it is to be unmindful, if not unaware, of the services which they rendered. Again, in that lurid hour when the question—British rule or no British rule?—was put in the most tragic form, the answer came forth from them unhesitatingly, demonstrating that, if they at one time formed the tableland of British paramountcy, they could at a subsequent period act as an invaluable breakwater when a tide of revolt threatened to submerge the British ascendancy. Not only the Sikh, the Rajput,

and the Mahratta States of Upper and Central India, and Hyderabad and Mysore in the south, but almost every principality and Raj in Northern India exerted an active and potent influence in stemming and repelling the tide. Even to-day, when a good deal is wanting in the treatment accorded to them, they are a reserve force whose power for good or evil cannot possibly be ignored save by the self-opinionated imperialist or the bigoted bureaucrat who believes that there is no use for anything in India except for an Enfield rifle and a despatch box, or if anything more can be imperatively required, a mosquito net. To these men Indian royalties are shadows—even a British royalty in India as a *de jure* and *de facto* Viceroy is a shadow—and if shadows have to be tolerated at all in their scheme of things, it should be distinctly understood that they are to be tolerated only as shadows, since they cannot be abolished. To tolerate them as shadows constitutes the main ingredient of their policy towards Native States. But even these paragons of political wisdom should have felt some qualms of conscience when they saw the stupendous array of resources in men, means, and their own persons proffered by the Indian royalties at the very outbreak of the war. For a long time, until the India Office came to be presided over by Lord Morley, they had the ear of the responsible authorities more than was conducive to the interests of British rule. Since then a steady change for the better has been visible in the counsels of the Empire, and it cannot but be most gratifying to see that a new statesmanship has emerged in relation to the Protected States of India and the hereditary nobility of the land. The

constitution of the Benares Raj as a feudatory state, the substitution of the instrument of transfer by a treaty in the case of Mysore, and the assistance rendered to Bekanir in the constitution of a Legislative Council are tangible proofs that British statesmanship, far from succumbing to the influences of a reactionary and self-satisfied bureaucracy, is yet fully alive to all the true sources of its power and prestige in India. To add to such tangible proofs may not be easy, but to maintain the spirit that has prompted them is neither difficult nor unnecessary; and it is to be devoutly hoped that not the least notable achievement of Lord Hardinge's Governor-Generalship will be the starting of a new tradition in the relationship between the paramount power and the feudatory allies. Not, however, until the Viceroyalty and Governor-Generalship of India are separated, and the former is held by a member of the British royal family, can England realise the full scope of the influence which the princes of India can exert in adding to the strength and prestige of Great Britain in the affairs of the world. The influence of the Protected States is still a dormant factor as an Imperial asset. The institution of a Royal Viceroyalty in immediate contact with the princes of India will be a becoming and tactful appreciation of their inherent status as born rulers in the case of all, and of their ancient lineage in the case of many, will elevate their sense of loyalty in a manner that Great Britain can hardly realise. Not that there is any lack of loyalty now; but instead of feeling isolated units in the Indian Empire, their actual contact with a member of the royal family as the personal representative of the

Suzerain will attach them to the Imperial throne as practically nothing else can do. Until that time comes, apart from treaty obligations on both sides, certain necessary changes in the treatment accorded to them may be brought about, thereby obviating the chagrin now and then caused by a few prevalent practices. In the first place, so far as feudatory princes are concerned, the only authority considered a personal representative of the Sovereign should be the Governor-General, and to him alone their personal homage should be due. Those princes who are in direct contact with the Government of India should not be required within their own territories to call upon or receive except in their own residences any person other than the Governor-General, but only to return the visits paid to them by provincial rulers. In the next place, they should be allowed much greater consideration when they visit the provincial capital, and should be invariably received not by an Under-Secretary, but by the Chief Secretary to the Government and the Military Secretary of the ruler of the province. As regards the internal policy, the position of the Resident should never be permitted to grow into anything more than that of an intermediary, an informant, and a vigilant custodian of the rights of neighbouring territories. Every Indian prince should have the privilege of personal correspondence with the Governor-General without having the Resident or the Foreign Secretary as intermediary. Although it is much less frequently the custom for British officials to receive large presents from rulers of Native States, the evil has not been altogether banished out of existence. There also seems to be a growing need for

an express provision against subscriptions being raised from Indian princes for the purpose of commemorating the tenure of office of any person and for all extravagant receptions, sensational parties, and entertainments. The inspection of the private collections of jewels belonging to Indian palaces by distinguished officials and their wives, as a matter of habit, leads to erroneous impressions in the public mind as to the object of these visits. Baseless stories and distorted versions find rapid currency, and as the persons whose honour and reputation are concerned are necessarily ignorant of these damaging rumours, a tradition begins to grow round such inspections and visits, and its effect on the subordinate officialdom is certainly not wholesome. If Clive was astonished at his own moderation, his successors of the present day may perhaps confess now and then that they have every reason to be astonished at their self-restraint. For any British dignitary to place himself in such a situation is indeed improper. Nor should there be any sort of exchange of presents even as an indication of one's appreciation of the artistic merit of any article. The rule should be, "Give nothing, receive nothing"—except courtesy and consideration. In another matter not so much the rulers as the subjects of Native States have a legitimate grievance — their exclusion from some branches of the Public Service in British India. We do not know that any statutory bar exists against the subject of a Native State being made a member of the Council of the Secretary of State, or of any Executive Council in India; but he cannot, for instance, compete for the Indian Civil or Medical Service. It is sought to

justify this exclusion on the ground that the subjects of Native States are not British subjects. A moment's examination will be enough, however, to show that it is a forced and untenable justification. For all practical purposes British India and Native States are closely assimilated, and whatever may be the legal status of a ruling prince outside his own territory, all his subjects, so long as they reside in any part of the British dominion, are British subjects for all legal purposes. All the Technical and Arts Colleges in British India and the United Kingdom are freely used by them. They may even enter the House of Commons; if we are not mistaken, the first Indian Member of Parliament was a subject of the Native State of Baroda. British Indians and Europeans are allowed to occupy places of trust and importance in Native States, and it is ungracious, to say the least, that their subjects should be exposed to such a drastic and unreasonable disability in British India. There is a clear distinction between the ruling princes, who are not, of course, British subjects but feudatory allies, and the subjects of Native States, who, outside their own territory, acquire all the rights and are liable to all the obligations of British citizenship. Intelligent young men in Native States are beginning to feel it unjust that, while their own Public Service is kept open, they should labour under disabilities in the enjoyment of a similar privilege in the neighbouring British Indian province. It will not be inexcusable either, if some of the rulers themselves feel that such a restriction is not only ungenerous but implies a certain unexpressed lack of confidence on the part of the paramount power in the mental

and moral fitness of their subjects for service in offices of responsibility in British India. Above all, if natives of self-governing colonies can enter any branch of the Public Service in India, it is a preposterous provision to exclude natives of Indian feudatory states. The removal of the disability is imperative, regarded even from this point of view exclusively, and may be expected to be heartily welcomed by Indian princes as a mark of confidence and condescension. To these suggestions we may add one more, which is a demand for the exertion of a deterrent influence on the unbridled licence with which a section of the British and Anglo-Indian Press at times chooses to attack, on the slightest provocation, ruling princes and distinguished representatives of the ancient aristocracy of the land. Nobody will dispute the right of the constitutional authorities to obtain explanations for any untoward incident which may in their opinion need them; but it will become an intolerable abuse of the liberty of the Press if in any such matter a rancorous artillery should be opened by the fourth estate to the damage of British prestige and the detriment of inter-racial cordiality. One Anglo-Indian journal which is identified in the Indian mind with the interests and idiosyncrasies of the permanent European officialdom recently distinguished itself by publishing a vile attack on a nobleman of high lineage on grotesque and groundless assumptions, and worse still, made no amends whatever even after a dignified protest from him. No doubt these instances are, to the credit of the Anglo-Indian Press, few and far between, and papers guilty of such thoughtless provocation are also few in number; but the mischief done on one

occasion by a single journal is enough to embitter not only the person concerned but also the class to which he belongs, and a wider general public, against Europeans in India; and the memory of the bitterness engendered lingers long, to the prejudice of the good feeling which ought to exist between the two races. Responsible authorities cannot be too careful that what they assiduously build up is not thoughtlessly, and at times irreparably, damaged by a frenzied exercise of "the liberty of the Press" in a manner which implies that the Press is beyond the reach of all disciplinary influence when the victims of its peevish and perverse attacks happen to be the royalty or nobility of the land. We leave untouched the interesting but unbroken ground of the obligations of the paramount power towards the subjects of Native States in the changed conditions of to-day, as it has not an integral connection with a treatise dealing with British-Indian affairs.

Turning to the colonial problem, we come to issues far wider than those with which we have attempted to deal. In approaching it we seem to be face to face not only with the destiny of England in India, but with the evolution of the British Empire; for that Empire is still only a geographical expression; although, in one respect, its reality seems to consist only in emphasising the degradation of Indians in the name of an illusory Empire. A British Empire, in the sense of equality of rights and opportunities, exists only so far as the United Kingdom, the self-governing Colonies, and some of the Crown Colonies are concerned. Between them there is reciprocity of domicile and mutual extension of rights and privileges; but India is outside the

pale of this comradeship. Its reciprocity is only with "the mother country," which has been regarded as a mother country by India with greater fervour and loyalty than by any colony, although the identity of blood is absent in our case. Blood may be thicker than water, but gratitude, which we shall frankly admit includes a lively sense of favours to come, is even thicker than blood. So as regards India, the British Empire practically begins and ends, outside its own confines, with the United Kingdom only. The other sections of the Empire have no organic relation with India; whatever relationship has been either forced by the Government of India or sought by the people themselves has been an unnatural and tyrannical relationship. Where the Government has been a party in enforcing it on the people the tyranny has been the tyranny of the law, partly the law of the colony, partly that of the Government of India. Where the relationship has been forced by the people, the tyranny has been that of an idea, or rather a ridiculous notion that something exists when as a fact it does not exist, and for purposes of practical politics may never exist at all — the idea that there is or can be a common Empire to include the Colonies, India, and the United Kingdom. Lord Morley's mistaken diagnosis of Indian politics, that the difficulty in India is mainly racial and not political, holds good in regard to the Colonies; there the fundamental difficulty has been racial although it has appeared to be political; whereas here in India the problem is purely political although it has appeared to be racial. As a matter of fact, no British Empire in the conception of the Indian is likely to come into existence

for a long time yet, except in speculative claims. The Colonies want to remain exclusively European more than to remain a part of the British Empire in the full sense of the term and according to the conception attached to it by British subjects in India. They cannot and will not be forced into a wider relationship. The Colonists are not Asiatics, to be intimidated into compliance by a naval demonstration, and for that matter every Briton may to-morrow become a Colonial subject himself. Whether India and the Colonies will ever combine to make up a common Empire will depend upon India's development under British rule in the course of the next quarter of a century. If it develop its industries and resources, if the people wield a decisive authority in shaping the policy of the Government, if its autonomy in its own administrative, fiscal, and military affairs under the paramountcy of Great Britain be a proven fact as is the political status of the Colonies, then perhaps the chances that India and the Colonies will stand on a footing of equality as parts of the same Empire may be regarded as promising. In the present voiceless and impotent condition of the people of India, where not only is freedom of person not legally guaranteed, but where British subjects are expressly liable to a law of deportation, which allows the removal and detention of freemen without trial and without judgment; where, in fact, kidnapping is legalised if the culprit be the executive authority; where the police can by law retain custody of an accused person transferred from the custody of the magistrate, although time after time the horrors of a Spanish Inquisition have resulted therefrom; where there is one scale of punishment

for the Indian and another for the European, and the criminal law of the country makes a difference between His Majesty's subjects on the express ground of parentage; where practically or theoretically the natives are excluded from obtaining admission to certain branches of the Civil and Military Services; where the best men of the land are incapacitated by a colour bar from joining a volunteer corps—with such defective credentials of British citizenship, what right have we to expect copartnership in the Empire? If the racial aspect of the colonial question has prompted the Colonies at the risk of severance from Great Britain to exclude India from reciprocity, the feeling that, from a country governed as India is governed, they can get what they want by moulding its Government to their purpose, has made it easy for them to persist in their attitude. The primary requisite for arriving at a satisfactory solution of the colonial problem is the development of the Indian Government on lines of efficient autonomy and popular rights, promoting the self-respect of the people in their own land, so as to secure for them the respect of the Colonies. The South African problem would not have become the Imperial scandal that it became, and the menace to internal tranquillity that it almost came to be, but for the fact that the Government of India, an unautonomous body, had to consent to the exportation of indentured labour to the Colonies. It was this initial compliance that laid the axe at the root of India's right to be treated as a component part of the Empire of equal status therein, and prepared the seed-bed of all those disabilities which grew to such luxuriant and perilous profusion. Such were the iniquitous poll-tax, the

infamous decision that the monogamous marriage of an Indian whose personal law of marriage permits polygamy is invalid, and all similar administrative, judicial, and legislative atrocities perpetrated even after the African colonies had submitted to the flag of Great Britain as the result of conquest more real, thorough, and evident than the conquest of India. If at the very beginning Indian authorities had been jealous of India's claims to honourable treatment, there would have been no degradation of Indians, although they might have been denied admission entirely. After bitter experience, an enormous expenditure of money, and an immense personal sacrifice, the solution of the South African question has been arrived at to the satisfaction of the Indian community, the credit of the South African Government, and the self-respect of the Government of India. No true Imperialist will withhold the meed of praise due in this connection to the band of heroic Indian men and women who were resolved to win or be destroyed, and their sagacious and patriotic leader, Mr. Ghandi, whose name will pass into the history of India and South Africa alike. Nor will any Indian grudge the fullest measure of grateful appreciation due to Lord Hardinge, whose Governor-Generalship in this, as in other respects, is bound to raise imperishable landmarks in the destiny of India. Nor yet can the present generation of Indians forget the chivalrous and unequivocal stand made by British men of affairs, like Lord Ampthill, amidst the sullen surprise and the positive annoyance of their political friends and opponents, for the triumph of a larger Imperialism which lay in the redress of the wrongs of the Indian

community in South Africa. Appreciating the joint contribution of all these factors towards the settlement, in all its stages, of the South African problem, that settlement is not tantamount to the solution of the problem of Indian emigration to other parts of the Empire, as the *Komagata Maru* affair has shown. Notwithstanding the new consciousness of Imperial unity which the War has doubtless generated, the colonial question may yet, in its fundamental aspect, continue to be the *pons asinorum* of British statesmen. The War has, no doubt, opened the eyes of self-governing Colonies to the place of India in the Empire, to the bulwark that Indian loyalty can erect for offensive and defensive purposes at a time of imminent crisis to British integrity and freedom. In spite of all this, however, and in spite of the rapid *rapprochement* between India and the other parts of the Empire, there is no guarantee that a colony may not choose to be perversely unimperial, self-contained, and exclusive to the detriment of Imperial interests. As in the case of Canada, it may not loyally enter into a scheme of Imperial citizenship in spite of all the splendid prospects which await it and will be the fruition of the Imperial instinct of the British race and the growing political sagacity of the Indian nation. Until it can be so, the proper attitude of Indian authorities in such a circumstance is to pursue, however reluctantly, a policy of unreserved retaliation wherever scope may be found for it, unflinchingly paying back the Colonies *mutatis mutandis* in the same method and manner. When, in the discretion of a colony, India ceases to be a part of the British Empire fit for perfect reciprocity, that colony must equally cease to be a part of the

Empire within the purview of the Statute Book of India. The British Empire may hereafter consist of mutually adhesive parts; but for a long time to come it must necessarily consist of adhesive and repellent parts as well. This ought not, however, to necessitate a condition in which one part is free to exercise the prerogatives of a dominant owner, and another is bound to acknowledge its servitude. British statesmen must realise that it will no longer be possible to continue to hold all the parts of the Empire under the same flag except by recognising the right of each part to reciprocate the treatment it receives from another; otherwise the bond of Empire will, as regards some of its parts, degenerate into a bondage of the Empire, and a process will set in of sacrificing the loyalty of one part to the perversity of another.

One cannot but regret in this connection that even so far-seeing an administrator as Lord Hardinge failed to grasp the true inwardness of the problem in his reference to the *Komagata Maru* incident at a meeting of his Legislative Council when accepting the resolution of a non-official member recommending a contribution of men and money to the War. He rightly thought, no doubt, that the outburst of loyalty in India demanded a reference on that occasion to an important contemporaneous event exercising the public mind. But the line of advocacy he took, most conciliatory as it was, showed that he did not grasp the core of the trouble. He said that India as an Asiatic country could expect no more than the most-favoured-nation treatment, such as was meted out to Japan, and if Indians would be satisfied with it he would try to

obtain the admission of a definite number of Indian immigrants annually into Canada. He argued, in regard to the rejection of Indian immigrants, that Canada has exercised the same prerogative from time to time even in regard to British immigrants. A moment's examination, however, will be enough to show that there is more contrast than agreement in the comparison the Governor-General instituted. The conditions of acceptance or rejection for British and Indian immigrants are so entirely different that to ask the Indian public to be consoled by the rejection of the former is to be unintentionally amusing to a degree. For Indians it is not a test of personal fitness, but a test of a direct voyage which does not usually exist, prompted by a desire to secure their practical exclusion. The grievance of the British immigrant will be the same as that of the Indian when he is asked to reach Canada from England direct *via* the Cape of Good Hope and round Australia; or, considering the supreme advantages in navigation which the British people have, by imposing upon them the condition that they should reach Canada by an underground train. Until these conditions can be equalised, there is little good in asking Indians to take heart because the British also are liable to rejection. Then what are all the efforts made and the inducements offered by the Canadian Government and people to promote the emigration of the pick of the British labouring classes, on the one hand, and what on the other hand are all the ingenious devices resorted to by them to keep off their Indian fellow-subjects from the Canadian shores? "Canada wants you," is the spirit in which the British immigrant is accepted. "Come if you

please, by a prescribed route which does not exist for commercial purposes, and then take your chance under other conditions," is the spirit in which the Indian is welcomed. India has developed sufficiently in political stature for all parties to handle at least her outstanding problems in frank and fearless honesty.

As regards the argument of the favoured-nation treatment, the basic question for settlement is whether India is to be reduced from an integral part of the Empire to the footing of a favoured nation. If it can be no more than that, why should Canada be any more in the view of the Government of India? It is in grappling with this stiflingly logical attitude that the crux of the difficulty lies, and no solution that is based upon an evasion of that difficulty can be even remotely satisfactory.

Nor can this be regarded as a merely theoretical problem, as the sequel to the *Komagata Maru* incident has shown. When the rejected immigrants reached India, chafing under a sense of wrong perpetrated in compliance with a judicial decision which has been based upon an avowed law of exclusion, there was no doubt some ground for the belief that they would foment an undesirable agitation at a time of some anxiety to the Government. The authorities were therefore ready with a special train at their place of landing near Calcutta, so that they might be transported direct to the Punjab without marching towards Calcutta. Most of them, however, refused the proffered assistance of a special train free of charge, being prompted not only by the inviting proximity of Calcutta, but by motives and fears which the Indian Executive should have had

no difficulty in ascertaining. They declined to walk into the parlour of the Government because they evidently feared that each man would be taken to his own house, and there kept under police surveillance. This must have been as much at the bottom of their resistance as any other consideration. Instead of removing this apprehension the authorities insisted upon their taking the train, and alternately persuaded and coerced them, and began to intimidate them by the sight of troops and the production of recent enactments. As a consequence a large party of the rejected immigrants fell upon the police, a few with fire-arms and the rest with clubs. Four days after all this had taken place a censored *communiqué* was issued to the country at large, giving an account which erred none too largely on the side of adequate information. One European police officer was killed, besides the Indians killed or wounded on both sides. The result of this unfortunate affray has yet to be seen, as Canada contains a very large number of the compatriots of these people, all closely identified in interest and racial fraternity with the Sikh population. The want of discretion of the Senior Member of the Bengal Executive Council, an Anglo-Indian civilian who handled all these operations in person, stands out only less prominently than the unascertainable responsibility of the Government of the Punjab, which is presided over by another Anglo-Indian. The effects of any agitation which the passengers might have fomented in Calcutta could not have been half so bad as this exchange of bullets and blows. Agitation would have been an open affair, and would merely have emphasised the rights of the Indian as a British subject, but in seeking to

prevent it the authorities drove them to a defiance of law and order. Even if a secret seditious propaganda had been feared, that fear has been now made worse on account of the still stronger estrangement between a section of the Sikhs (with a large body of sympathisers) and the Executive. If they had been met face to face in Calcutta by Lord Carmichael and some of the members of his Legislative Council with a few public men of the city at a public meeting, and the intricacies of the question and the intentions of the Government had been explained to them, the Indian authorities would have come out with credit and advantage to themselves. With Lord Hardinge in Simla and Lord Carmichael at Calcutta, and with the Civil Service to counsel, control, and execute in the spirit of their traditions, with an ordinance in one hand, and a posse of police at their elbow, the *Komagata Maru* emigrants, ejected from Canada after a long, costly, and arduous voyage, concluded their troubles with a fatal affray with their own authorities at the entrance to Calcutta. When we judge of the signal want of tact with which the Indian officialdom concerned behaved in this matter, the patience, perseverance, and restraint which the Canadian authorities showed throughout, while the immigrant ship was lying in port, not to mention their generosity in provisioning it and bearing the cost of the return voyage, cannot but be worthy of grateful mention, despite their attitude of exclusion. The lesson to be laid to heart is that in this case, as in the South African question, and as regards every such conceivable contingency, the colonial problem must come home to roost, until the Indian Government make bold to come to a rational settlement. There

is only one such, apart from all that has been proposed till now by the authorities concerned. That lies in recognising that the British Empire must hereafter come to consist of parts, each of which will have to be governed in its own interests, and all or any of which may enter into a reciprocal or retaliatory relationship. That is the true basis of an Imperial policy which will not jeopardise the Empire, although it may not conduce to its unification; and its inauguration cannot brook vacillation in responsible quarters. To continue to recognise the right of a colony (to whatever extent it may be exercised or however rarely utilised) to enter our Civil and Military Services, to own plantations, to carry on business, and to enjoy all other exemptions and privileges specially reserved to European British subjects in India, will be a policy of trying too severely the fealty of a magnificent tusker in order to please an untamable wild cat. Nor should Indians harbour any resentment against Great Britain, or look down upon her, if after employing retaliatory measures she is unable to force reciprocity on the Colonies. The Empire of Great Britain is not, and ought not to be, bound together or maintained by force, although force is necessary to defend it from external aggression. To expect, therefore, that England can coerce the Colonies for our sake will be like the unreasonable and unintelligent demand that Great Britain's foreign policy should be mainly shaped by consulting the susceptibilities of any section of the Indian population. England cannot assume an attitude of coercion towards one part of the Empire for the sake of another. At the same time it is imperative that, in maintaining our rights and the self-respect of the Indian Govern-

ment, we should possess all the powers of a self-governing colony, if for nothing else, at least to vindicate the prestige of British authority in India and to deserve and merit the loyalty of the people. Our terms should be—give and take, or give not, receive not; there is nothing dishonourable, nothing politically wrong, in either. There is dishonour and danger alike in forcing India to accept the position that she shall not be permitted to take, although she shall be bound to give.

SECTION III

Our Share of the Work

In dealing with what the Government ought to do for us, we cannot forget what the people ought to do for themselves, what different communities ought to do for one another, and what the educated and moneyed classes of all communities must do for the country of their birth. Indians have doubtless been too exacting in expecting the Government to do everything for them, partly as a result of an all-appropriating bureaucracy having accustomed the people to look to it for the initiative, encouragement, and ultimate success of most undertakings; and partly as a result of our racial lethargy. But social inefficiency and political power cannot co-exist except for a time, and either the one or the other must soon undergo necessary modification. Although it is often said that no Government can do for a people more than the people themselves are prepared to do, still, as a fact, the Government in India has done much more for the people than they have for themselves. What individual Englishmen have done for Indians

in India, what European missionaries have done for our poor and sick and illiterate, what European savants have done for our classical literature, history, and antiquity, what retired members of the Indian Civil Service have done in quickening our political consciousness and developing our political organisations and in sustaining British interest in Indian affairs,—are all standing monuments of the British love of labour for a people less favoured than themselves, and of the British sense of justice and fair play on the one hand and our own pitiable and at times culpable incapacity and want of power as a race on the other.

What the British manufacturer does for our raw products, that the British men of letters, the British philanthropists, and British lovers and devotees of freedom and self-government have done for the people of India. Verily we have been no more than raw products in their hands. Such a spirit of content as regards our own shortcomings and of acute discontent with those of the Government is bound to detract most unfavourably from the reputation of our countrymen, and can never lead to substantial results even in political aspirations. After all, every exercise of any kind of privilege or right makes a certain amount of capacity to combine and a certain degree of social efficiency indispensable. Without them the privilege must soon lead to dissensions, not for the public good as in other countries, but for private ends; from this danger political advancement in India has to be anxiously protected. Again, we have to burn it into our memory that no nation can get more than what its best men strive for. If our best men strive only

for opportunities in Government service, it is unreasonable for us to complain that the country can get nothing better. No people can make good a claim to self-government of any kind merely on the ground of its ability to furnish suitable candidates for salaried offices in the Public Service. That claim must be established in the management of self-governing institutions of an official or non-official character, and by an exhibition of civic efficiency which will leave no doubt as to the sincerity of our professions and our capacity to adhere together and to suffer for what we deem to be rightly due to us—not in subterranean caverns of intrigue, plotting anarchical crimes, but in the fullest and freest assertion in open daylight of what we mean to be under the British flag.

The great need of India is a sense of civic duty apart from a sense of individual patriotism, and a realisation of a common political identity despite the barriers which her people have in common with others, but many of which are peculiar to themselves. If only the Indian's sense of civic duty had been half as alive and fruitful as his sense of domestic duty, India would present to-day, to her honour, a magnificent spectacle, having been able to combine in equal efficiency high standards of domestic and of civic responsibility. Unless Indians begin to act early in appreciation of the forces that are at work around them, and to liberate themselves from their bondage to a priesthood, their social inefficiency cannot but seriously hamper them in their progress in politics. They should realise that the time is come for them to get the better of those institutions which impair their capacity for

effective combination and cripple the buoyancy and utility of almost every one of their number. We do not mean to say that, because of the Hindu system of early marriage, the combination of judicial and executive functions is a justifiable administrative arrangement; or because the Mahomedans and a section of the Hindus confine their women and deny them God's sunshine and open air, that the Government is justified in detaining any one in incarceration without trial and the sanction of a Court of Justice. Nor can it be suggested for a moment that because in India one man will not eat with another, for no other reason than that each is born of his own parents, an Indian who is in every way competent to be an Assistant-Superintendent of Police should be debarred from holding that office on account of his birth; nor can it be argued that because a Hindu widow is not allowed by social sanction to remarry, and is in certain provinces disfigured and subjected to perpetual cruelties, while a Hindu widower of threescore and ten is at liberty to marry a child between whom and himself there is a difference of two generations, there should therefore be one penal law for the Indian and another for the European; nor that because a Hindu of one caste will not go near a Hindu of another caste, the non-official members of the Legislative Council should have no power to alter a Budget allotment; nor that because Hindu custom forbids sojourn in foreign countries, an accused person should be remanded to police custody, and compelled to stand the ill-treatment and brutality which this often means. These are administrative abuses which call for eradication, whatever may be the defects and deformities of our

social system, just as our domestic and social institutions call for a thorough reformation without any reference to the system of administration obtaining in the country.

No one can possibly be blind to the havoc that some of our social institutions play in enfeebling the vitality of the race, in depreciating our social resources, in narrowing and thwarting the opportunities that are even now open to us, and in dissipating the enormous volume of social energy otherwise available for the good of the country. Once again, when we desire to advance from the domain of administrative reform into the region of real political power, that is, when we take our destiny primarily into our own hands, we shall find that our present-day social institutions will absolutely paralyse us if allowed to exercise mastery over us. It is impossible for us to exercise material privileges efficiently and for the greatest public good without developing a sense of civic duty and social service, both of which demand a deliberate and conscious modification of our unquestioning homage to the ritualistic tyranny of a mediæval priesthood. To be possessed by an unbounded admiration for the enthralling literature of our country, to have implicit faith in the spiritual verities taught in it, to feel as confiding infants at the feet of those saints of a past day whose places of interment are even now store-houses of spiritual power and healthy beneficence, to feel one with the past and to pray for a future in keeping with it, is not identical with the spirit of crawling and creeping like earth-worms in the face of social iniquities, because they are customary iniquities, and because the protecting arm of an irresponsible priest,

who neither knows the condition of his country nor can appreciate the labours of his countrymen, is extended to guard them from change. To keep the womanhood of our country among the higher classes ignorant although intelligent, and out of tune and touch with our aspirations, endeavours, and sufferings, is not only to forgo helpful co-operation, but to make our burden infinitely more oppressive than it need be. It is in fact trying to obey two forces at the same time: the force of stagnation and the force of advancement. It is like trying to swim when a whirlpool below the current is dragging the swimmer down.

The Hindu-Mahomedan problem is another of those Indian problems, the importance and difficulty of which no thoughtful person will endeavour to minimise, but which at the same time must strike many as much less formidable than ignorant or interested critics have generally supposed it to be. It would appear from the standpoint of these critics that Hindus and Mahomedans have tried to live together in amity and peace only since the advent of the British Government. They forget that, whatever religious bigots seated on the thrones of Indian kingdoms might have done to foment religious ill-will and animosity between the two classes, the bulk of the population, Hindus and Mahomedans, have been for centuries accustomed to look upon one another with the feelings common to humanity in every part of the world. In numerous affairs they are brought together every hour of their life, and even in religious matters there are instances of orthodox Hindus worshipping at the shrines of Mahomedan saints and of Mahomedans fulfilling

vows for Hindu saints and deities. In the Mahomedan state of Hyderabad and the Hindu state of Mysore, there is scarcely any Hindu-Mahomedan problem. With all its reality it is not half as insoluble as the antagonism between capital and labour in England, although lovers of antithesis have taken a keen pleasure in emphasising the points of difference between the two communities. If recently it has taken an unpleasant turn, it is due partly to the mistaken notion that local authorities here and there favoured Hindu-Mahomedan schisms; partly to the influence of a reactionary group who thought that the progress of other communities should be at a standstill until they themselves were equally ready to advance; partly to the controversies engendered by Lord Morley's Reform Scheme, the palpably wrong way in which some men presented the Mahomedan case, and the warm refutation thereby called forth; and now and then it occurs in connection with the slaughter of cows. Every one of these is capable of satisfactory handling, as has been proved by recent events. The official attitude changed for the better under Lord Hardinge, and there is no reason to believe that there will be a retrogression, especially since the significant expression of His Majesty's hope that there will be amity and goodwill among all classes of his subjects. The bulk of the Mahomedan community is now keenly sensible of the fact that, as the effect of constitutional agitation carried on almost exclusively at the expense and effort of their Hindu fellow-countrymen for a quarter of a century, when they themselves declined time after time to share in the burden and obloquy, they no less than the country have been vastly benefited. As regards out-

standing Mahomedan claims, those on behalf of education have been amply satisfied, and the Hindus have cordially endorsed the policy followed. As regards special representation on Municipal and Taluk Boards, wherever there may be a considerable Mahomedan population, this may be conceded without expecting therefrom any dire calamity to the cause of local self-government. For one thing such a concession will ensure Hindus and Mahomedans working side by side on all representative local bodies, and will efficiently meet the local needs of the two sections. The great lesson to be laid to heart in this connection by leaders of public opinion is that Hindu-Mahomedan unity and co-operation are worth securing in local affairs, since local bodies only exercise delegated powers from the Legislature. Each locality has its peculiar problems, and some of them may call for such a provision.

The leaders of the Mahomedan community, even more than their followers, must turn aside once for all from dividing their patriotism and allegiance between pan-Islamism and co-operation with their non-Islamic fellow-subjects in India. They must realise that their country is Hindustan, that their language is Hindustani, that their ruler is the King-Emperor, and that it will be a fatal mistake to encourage the notion that they are an offshoot in India of a parent-stock somewhere between Asia and Europe. The only really outstanding difficulty is the slaughter of cows, and that has been so because the Government has failed to approach the question from the proper standpoint.

In reality the cow question in India is not so much Hindu-Mahomedan as economic and agrarian. In

between the two communities, that have made the solution of this question a matter of greater difficulty than it need have been. The time is now propitious, and its solution seems most hopeful. Even Anglo-Indian policy which till recently had a skulking partiality for the continuance of the cow problem as an unsolved difficulty, as a wholesome reminder that times of intense communal trouble have not entirely passed away, has now learnt that such an unnecessary advantage may be relinquished. In other matters the occasional breaches between Hindus and Mahomedans are not of much greater importance than dissensions and disputes and occasional breaches of the peace among the members of each community, while all of them can be composed in good time by the constitution of reconciliatory Boards in each Presidency town. In no case need the Hindu-Mahomedan problem be exaggerated into an issue likely to wreck Great Britain's political destiny in India.

SECTION IV

The Destiny of British Rule

We have had to traverse a somewhat wide field, since British citizenship in India is still in its swaddling-clothes, and since bureaucracy, everywhere baneful, has played, and is still playing, an all-engrossing part in India, from fixing the spelling of Indian names to the disposal of Indian revenues. The problem of Indian Government is therefore, in the main, a problem of relaxing the hold of the bureaucracy; and if we have not been generous in our estimate of its future utility, we have not failed to

appreciate the zeal and ability that have distinguished its labours in the past in and on behalf of India. It is rather, on the other hand, that there can be no room for autonomy and bureaucracy to thrive together, while British responsibility can no longer be delegated to the Civil Service. As autonomy in India grows, bureaucracy must shrink and dwindle, and be gradually transformed into a substantially different kind of agency. At the same time, as the concern of the British becomes more real and earnest, the authority of the Anglo-Indian proxy must diminish. Anglo-Indian rule has not only reached the zenith of its authority, but has fulfilled its purpose in perfecting official system and method, and must now begin to give place to what may be described as Indo-British rule. The necessity for this was not only distinctly perceived, but was definitely formulated, at the beginning of the third great period in the history of progressive British statesmanship in regard to this country. When local self-government was cast on an elective basis in order to give effect to the policy enunciated by Lord Mayo in the year 1870, the era of Indo-British government was clearly foreshadowed in a resolution bristling with inspiring sentiments which at once evoke deep respect for its authors and convey to us what we may confidently expect of British rule. The Government of India desired the Local Governments to understand that a deliberate departure in the previously accepted canons of administration had been definitely decided upon. They justified such a departure in the following words: "As education advances there is rapidly growing up all over the country an intelligent class

of public-spirited men whom it is not only bad policy, but sheer waste of power to fail to utilise. The task of administration is yearly becoming more onerous as the country progresses in civilisation and material prosperity. The annual reports of every Government tell of an ever-increasing burden laid upon the shoulders of the local officers. The cry is everywhere for increased establishments. The universal complaint in all departments is that of overwork. Under these circumstances it becomes imperatively necessary to look around for some means of relief; and the Governor-General in Council has no hesitation in stating his conviction that the only reasonable plan open to Government is to induce the people themselves to undertake, as far as may be, the management of their own affairs; and to develop or create if need be a capacity for self-help in respect of all matters that have not for Imperial reasons to be retained in the hands of the representatives of the Government." Also, the acknowledgment was made: "It is not primarily with a view to improvement in administration that this measure is put forward and supported. It is chiefly desirable as an instrument of political and popular education." If we can only realise to-day the volume of surplus energy which in the absence of Lord Ripon's scheme will have to struggle without legitimate outlet under the rule of an alien people, we can well imagine the service rendered by Lord Ripon to the cause of British supremacy and Indian advancement. The full extent of that appreciation will become clear when one comes to know how profoundly Lord Ripon was convinced of the unqualified wisdom of his statesmanship. When the Bombay Government naïvely

suggested that it would be better "to create and educate a public spirit" before beginning such an experiment, the Government of India met the suggestion with a rejoinder that must have made the Anglo-Indians of the day suspect that after all theirs was not the sole or the ruling vision in Indian politics. "It is not explained," ran that rejoinder, "what are the measures which His Excellency in Council would have proposed to adopt for the purpose of creating and educating public spirit; and in the absence of any information on this subject the Governor-General in Council cannot but feel much doubt as to the power of any Government to create public spirit otherwise than by affording to the public a practical opportunity of displaying and cultivating such a spirit in the management of some portion, however limited, of public affairs. It is far easier for an executive government by its direct action to check and hamper the development of public spirit than to create it." How many district officers are there even to-day who bear out the truth of this statement whenever municipal papers require their attention! Anglo-Indian trusteeship of India will not allow the Indian to wet his feet in political waters before he has learnt to swim, whereas British statesmanship had no difficulty in perceiving that until he entered the water he could not be expected to learn. It is this difference that has persistently manifested itself between the popular party and the bureaucracy in India; and on every occasion the Indian view has had to be enforced, not only over the heads but in spite of the bureaucracy, by British statesmen. The development of Indian autonomy calls, in effect, for nothing more than the systematic

espousal of Lord Ripon's policy of substituting for Anglo-Indian rule Indo-British governance. The process of substitution cannot be a process of violent uprooting of the one and planting of the other in its place. To be accurate, it cannot be even a process of substitution; it is, in fact, a process of transformation. The period of inconsequential association of the non-official element in the Imperial and Provincial Councils must be succeeded by a period of effective association by making it a definite factor possessing a constitutional status of its own. As it grows and justifies the confidence reposed in it, the bureaucracy should be transformed into an Executive responsible to the non-official element. But for the enormous vested interests that have grown round the system of administration in India, Anglo-Indians themselves would be foremost in furthering the efforts of Indians for the expansion of popular rights. For bureaucracy is, after all, more alien to the British spirit than we are by outward appearances led to believe, while bahadurism is assuredly not a native trait in the Briton. Nor is it that the people of India, who for a century have been in close contact with the British, and for half that time have been dominated by their institutions, history, and literature, prefer the Indian bahadur to the British bureaucrat. To them the one is as bad as the other, and as unserviceable in the evolution of India's future. It is not that we want to replace a British bureaucracy by an Indian bureaucracy, when we ask that the executive agency in India should be composed of Indians with the exception of an irreducibly necessary minimum of Britons. It is on economic and administrative grounds that the change has been

advocated. Nor can we be satisfied if an Indian autocracy should take the place of the British bureaucracy. Trying to steer clear of both, India desires to enter Great Britain's harbour of perfect goodwill, and trusts to be trained in the art of political navigation for their mutual benefit and honour, always under the British flag, so long as in the ordering of Providence it flies high enough to protect India with India's unreserved support in men and means. If ever it should cease to fly over India, through all the long night of misery that may ensue the severance, India's anguish will only be that such a day should have been followed by such a night. So long as the sunshine of the British Empire falls on India, let not a moment be wasted in raising doubts and difficulties on the one hand, and fomenting antagonism and antipathy on the other. Let us not, whatever our position may be, forfeit the right we have earned to the confidence of England by seeming to encourage a policy of foolish terrorism and dastardly outrages on Englishmen in India, whether on a scribbler in the Anglo-Indian Press who disseminates the infamy that the best products of British education are "base-born B.A.'s," or on a Viceroy who has shown himself as great as Canning in clemency, as sincere as Ripon, as sympathetic as Sir Thomas Munro, and as far-seeing and sagacious as the great Marquis of Wellesley. Whoever may be the mortal victim of an outrage, the real victim is Indian political progress. For, except at a time of great crisis, when an outrage may reflect the dominant and ungovernable passion of the community practically as a whole, all outrages only serve to put back the progress of a country, and rivet more strongly the fetters of authority whether

responsible to the people or not. India has never swerved from the faith that in the British connection alone is the security of its political progress. That faith has mellowed into an unassailable assurance since His Majesty's Durbar at Delhi, and under the resolute policy of goodwill of Lord Hardinge. Those who run counter to that adamantine conviction can only discredit the country's cause and deserve the opprobrium reserved in all lands for political parricides. By all means let public spirit and sacrifice, unfaltering courage of conviction, and all the virtues of an awakened, organised political manhood flow in abundant and growing evidence; but let it be made clear there can be no place in Indian politics, however assertive a course may be laid down for it by men of varying shades of political conviction, for a creed of outrage and assassination. Further, the identity of interests which the War has so fully established between India and England forbids the very thought of an India separate from England.

Since, therefore, all the outrages cannot disestablish the British Government, so long as they continue to be outrages on the political conviction of India as well, their only effect will be to cripple the efforts of Indians and Englishmen for the good of the country. Does any man in his senses think that if the British make the country over to us to-morrow we shall be able to preserve it for a day either as our own, or for ourselves? Even if we are able to do it, can we retain it as a country governed *by the people for the people* as the United Kingdom and United States are? To become self-governing, it is India that needs England indispensably. So far as England's integrity, independence, and popular

political freedom are concerned, India does not enter into her needs at all. Without India she possessed all these; before the last Mahratta War was over, Napoleon had been finally overthrown; before the Charter Act of 1833 was passed, the Reform Bill had been passed; before India came under the direct control of the Crown, England had been for twenty-one years under Queen Victoria. On the other hand, if we turn to India, our every prospect rests on the continuance of British supremacy; our unification as one political people, our immunity from external aggression, our security from internal anarchy, and all hopes of political control by the people for their own good. Severance from Great Britain must therefore mean a long farewell to all these hopes and efforts, and a plunge into abysmal misery. As we have shown, it is the need of India that keeps England here, and it may be well borne in mind by extremists on both sides, by those who bend their knees to the sword, and by those others who prostrate themselves before a bomb, that no country, especially no country of the vastness and resources of India, can be governed for a day, although it may be conquered time after time, without the concurrence of the people governed. England's empire in India does not rest upon the sword, nor can it be terminated by a campaign of outrage and assassination. British destiny and India's future have been linked together by Providence, and have received the blood-oblations of both countries. Such a possession cannot be discarded either by unreasoning pride of birth and irrational prejudice of colour, nor can it be consumed in the perversity of political incendiarism. The sacrifices made on both sides for British rule and for

India's political future are too great to allow us to succumb to such a contemptible contingency, so long as the heart of India is sound and the discernment of England is unerring. Any one who can take in at a glance the history of Great Britain's relations to India —from the time British seamen sought to discover a northern route and were frozen to death, like Hudson, pen in hand, to the time that a British Viceroy, recovering from an outrage inflicted on him in the Imperial capital at an historic entry, assures the people that it will not deflect him from his progressive policy—will see that Great Britain's destiny in India is too great and powerful to be perverted or arrested by sectional prejudices, vested interests, communal bickerings, and demented outrages. India seems to have always waited for her political future until the advent of Great Britain, while England's preparation in politics seems to have been specially designed for the task that has fallen to her in India. Nor did England fail to assimilate and profit by the successes that fell to the lot of each European nation in India, and by the discoveries each in its turn made in the course of its Asiatic experience. She profited by the maritime discoveries of Portugal, whose zeal for scientific navigation won for Europe undiscovered bournes and unknown ocean routes, and whose intrepid valour recalls the glory that was Greece; she profited by the genius of Holland in the organisation of Eastern trade so as to secure wealth from commerce as well as from territorial revenue; she once again profited by the moves made by the French on the political chessboard of India, moves which made it plain that an unprecedented Asiatic dominion awaited the European Power which

could steadily and resolutely bring to its aid diplomacy, courage, and fidelity in its dealings with the ruling houses of India. Is it then too much to expect that when, in founding her Eastern Empire, she has profited by what was not originally hers, she will not fail to call into requisition what is not a legacy from other nations, but her own splendid self-acquisition, her own unrivalled inborn political aptitude for training the countries under her sovereignty in the path of political autonomy? Is it likely that her own experience will fail her when she has profited by the experience of others to such an extent that her own historians have described her as the residuary legatee of the nations that went before her in India? She has been more than an architect of her liberties, she has been in modern history a source of political illumination to the nations of the world.

A mere speck on the known globe, she has, step by step, advanced herself to a position of such commanding pre-eminence and such an intensity of political lustre, that from the British Isles may be said to have radiated as a law of nature for a century and a half the world's sunshine of civic freedom. Any one can find in her history the process of her transformation, but the secret of her success has not been so much in the institutions she has developed, in the constitutional bulwarks she has raised, in the great guarantees of political liberty she has established, as in that national genius of the race which made them all possible. They are but the expression and the outward manifestation of that God-implanted law of self-realisation which seems to have been the maintenance of political authority

as the instrument of popular freedom. National institutions are but the physical organs of a nation, evolved in the course of its growth, for the realisation of the spirit indwelling in the community. There are communities which are made by institutions and communities which make institutions, which create constitutional marvels, and leave great pathways of enduring reality on the tract of time. Others who have the capacity benefit by them, but in their origin these institutions are the product of a society which threw them up in the course of fulfilling the conditions of its own law of existence. British institutions are of this order, and the British people are of this category ; of them it may be truly said that they are a people with a mission. They have had to fight for and obtain all political rights, from the meanest to the most magnificent, from the rudimentary rights of the subject to the practical sovereignty of the subject, and they have done this as a necessary condition of their existence. One by one their great national rights and freedoms were acquired as the result of a strenuous struggle of the weak against the strong, of the unprivileged against the privileged ; freedom of person, freedom of speech, freedom of the Press, freedom of conscience, the control over the Executive, and the right of legislation. When such a people build up an Empire, not solely as a matter of their own seeking, it cannot be a case of *Imperium et libertas* in the sense that the two are to stand divorced from each other, that liberty is to be for themselves, and Empire for others —a political conception against which their most brilliant statesmen and political architects have passionately protested and resolutely set their face.

In the days of the Roman Republic there was liberty for Rome and Empire for its provinces, but the Roman despotism abroad, benevolent as it was on the whole, reacted on the capital with the result that Roman liberty was no longer what it used to be. When "All" became "Citizens of Rome" there were no longer Roman Citizens in Rome, but only Roman subjects. When "*Civis Romanus sum*" became possible, there was no Roman *Civis*. Great as was Rome's contribution to the cause of civilisation, she had not found the art of reconciling imperial authority with the freedom of the Empire—which Great Britain amongst her civic and political triumphs, and following the ascendancy of the people, has slowly come to possess. It is true, no doubt, that what she has yet to accomplish is as great as what she has accomplished already in the realm of Imperial politics. Our great hope of success lies in the fact that she means to accomplish them. With her it has become increasingly an article of political faith that no problem is beyond the resources of statesmanship; and this faith is not a theoretical assumption made in the hey-day of ministerial confidence, and when the forces of the nation are at a high pitch of vibration. On the contrary, the assumption is confirmed by no little evidence gathered over a long period and reaching from the time that an impossible monarch's abdication was contrived as a bloodless revolution to the day that the hereditary chamber of the realm had to relinquish national finance and, for all necessary constitutional purposes, national legislation also in deference to the pronounced opinion of the people. During this period British statesmanship triumphed over every ordeal except in one momentous issue

which confronted it at a time when the voice of obstinacy dictated the policy of the nation and overbore the audible counsels of prudence and fair play. But that exception has not been without its blessings. It has illumined the political vision of England and opened out a whole vista of larger domestic policy. As a result of her entire history, England has reached a rule of political conduct which guarantees the maintenance of the political identity of every part of the Empire and at the same time the retention of her Imperial suzerainty over the constituents. That working rule of British statesmanship, that political formula, has been expressed in unmistakable terms by one of the most brilliant intellects ever concerned in the practical affairs of a state. Nearly a generation ago, just before he definitely started upon the Home Rule campaign, Mr. Gladstone, in his manifesto to his constituency, stated what ought to be the governing principle of England, and said : " To maintain the supremacy of the Crown, the unity of the Empire, and all the authority of Parliament necessary for the conservation of that unity is the first duty of every representative of the people. Subject to this governing principle, every grant to portions of the country of enlarged powers for the management of their own affairs is, in my view, not a source of danger, but a means of averting it, and is in the nature of a new guarantee for increased cohesion, happiness, and strength." British political experience has come to this bed-rock of political faith after a long and arduous journey, by overthrowing obstacles, and benefiting by errors of judgment, strengthened and refreshed at frequent stages by the gratifying triumphs that have always attended the pursuance of a policy

prompted by such a faith. The extent of the grant of enlarged powers at any particular period in regard to a particular part of the Empire may admit of differences of opinion, but as to the value of the axiom as the political compass of British statesmanship there can be, and ought to be, no question in regard to any part of the Empire. Nor should there be any attempt on the part of responsible statesmen to define for all time to come the ultimate possible limit of a British realm in receiving the benefit of that axiom. It is not the part of a statesman to play the rôle of a prophet, especially a prophet of despair. How far India can advance under the British Crown must depend upon her own capacity and not upon the measure of liberality that will mark the application of that axiom to the case of India. By whatever name the goal to which India can make under the flag of Britain be designated—Parliamentary Government, Self-Government, or Colonial Government—it is futile at the present day to ask if India is fit for, or will ever reach, that destination. It is far worse than futile, it is impolitic to a degree, to asseverate that it cannot—and to assure us that India is destined to be at best a well-cared-for political cattle-farm of the Empire. Unless one can pretend to take stock of the entire course of events in Indian, British, and world politics destined to happen so long as India remains under British rule, it is obviously unwise and absurd to set limit to her political advancement under British sovereignty. If there be any country on the face of the earth at the present day which eludes even modest political prophecy, that country, as events have shown, is India; we of this country are ourselves a race of prophets, and when

any one, however high his political or literary rôle may be, assures us that India for all time must forgo Parliamentary Government, we refuse to believe that he has read our destiny aright; nay, we go a step further, and affirm that he has quitted his sphere of authority. Furthermore, it is no part of statesmanship at any rate to dogmatise or prophecy in regard to India; it only irritates all those whom it does not amuse. Those who believe that they are thereby avowing an honest political faith do not realise that no Indian can be blamed if he takes it as the betrayal of the cloven hoof. Every canon of political prudence forbids a man in actual authority to hurl against a people a prediction of perpetual disability. While there is little to warrant its soundness, it implants in the mind of the governed a germ of positive belief that British rule is pledged in the innermost recess of its heart to a policy of perpetual tutelage with the secret motto of Divide and Rule, and the conviction is forced upon them that the only course that can benefit them, if there be any at all, is to unite and overthrow. Unrealities assume greater importance with both parties under speculative possibilities and impossibilities, and the result is deplorable. For a country so well matured in political experience as England, the only attitude which justice and prudence counsel is at once to refrain scrupulously from such a *non possumus* position, and to make it plain that every part of the Empire can attain its majority under Great Britain by carrying out those reforms for which it may from time to time be fit. There is no ground to believe that England will perversely fail in the mission that seems to have been allotted to her by the hand of

Providence, and unless the gods deprive her of reason, she cannot deny her whole history. If she has dived deep and long in the depths of political turmoil to find political wisdom, she will not permit herself to be seized by a political paralysis in the case of India, especially at a time when the whole Empire is consciously striving to become one and indivisible more than ever before. It is not probable, either, that India will miss her future by trusting to the overweening confidence of those who will leap beyond their own shadow, seeing that India's isolation might only mean her coming under a domination in which all persons and things exist for the will of one man.

In the face of the New Providence that menaces the nations of the earth with an open malignity, it will be the part of a maniac to weaken the forces of world's freedom, whatever may be the race, country, or political status of its adherents. Weak as she might have been, powerless as she has had to be as a factor in World Politics, India has valued of all possessions freedom from time immemorial for the highest of human purposes. She has, in fact, lived for and suffered domination and bondage for interpreting the lessons of freedom in its highest sense. She has taught one militarist power after another of the days that have gone by that no nation and no person can get what is worth while to get unless they get it through the freedom of others, as an uncompelled, free choice of theirs. To her worldly freedom has always been a means for an end. It is because the Western ideal has no such end to it that freedom in the West has come to mean freedom to aggress and aggrandise as between class and class and country and country, and its so-called economic verities have

been built upon ethical heresies. In India, even as a means, freedom, whether for the individual or the community, never meant an instrument for the acquisition of the good things of the world irrespective of its tendency to corrupt the individual or the nation in the very process of acquisition. One freedom after another, from one stage to another, through means and methods every one of which was considered to be a high end in itself, was meant to lead to the ultimate realisation of the self, whose freedom consisted in being free of all conditioned existence. But when we have parted with our freedom ourselves in its lower stages of national existence, and have been incapacitated from being what we may have been in our country, from the teaching of the alphabet to the child to the raising and the disposing of the taxes of the country, India's loss of freedom is not her own loss, but the loss of the world's freedom also, and which, if not restored to her at the hour of her demand, the world will be justified in avenging the refusal if only the world knows the value of India as a link not simply between the past and the present, but between the present and the future in history. And be it borne in mind by students of history and men of affairs that we parted with our freedom in the full knowledge of the need for an alliance with a Western nation that has developed organs of national existence other than our own. And this alliance India is determined to maintain on a stabler and broader basis as will allow her further national evolution and not snap the past relationship between England and India. Shall India be driven now to choose between that alliance and the *raison d'être* of our national existence coupled with

the motive of all that inspired Indo-British solidarity for nearly two hundred years now? As was so happily described by Mr. Charles Roberts, who will always be remembered as the author of that memorable sentiment conveying the change in the angle of vision of England towards India, what is at stake now is "the consolidation of right feeling between England and India." What is it that stands in the way of this consolidation now that the time for it has come? The confession proceeds from a Bishop, although it might not have been intended as such. The Lord Bishop of Madras, the Rt. Rev. Henry Whitehead, in a significant article he recently contributed to the *Nineteenth Century and After*, admits:

"It is exceedingly difficult to develop any system of real Self-Government under the shadow of the existing bureaucracy."

The position is in a nutshell. Either that shadow must vanish, or our purpose and identity as a nation. He could certainly not have meant, and no self-respecting person can mean, that India should be content to develop a semblance of Self-Government which will be more debasing indeed than open despotism even of the Prussian mould. Mr. Montagu, who has been regarded with a pathetic and implicit confidence in his sincerity as the very preservative spirit of British political instincts, did less than justice to the bureaucracy in India when he described it merely as an anachronism, a century-old wooden mechanism. It is neither, so far as the people of India are concerned. It is, on the other hand, a veritable Upas, under whose shadow lifeless artificialities and unreal semblances may be displayed, but nothing that really matters to the country can grow.

It is not a solution to chop off its branches here and there, and to fell down its trunk is not politics. The solution is to sterilise the roots. It must be left to stand and wither gradually, lacking sap from the soil. By the time it stands as a pole, casting no shadow, the plant of freedom would have struggled and grown, green with foliage and fragrant with blossom. To deaden the roots of the one, as we nourish the roots of the other, is the constitutional process, possible only if the British nation decrees the most magnificent of all political transformations in ancient or modern history. This *Gigantica Indica* in politics must either cast no shadow, or British history in India must after all take a turn as will be an eternal stain on a whole nation's protestations called forth by another nation's implicit faith.

Every time Self-Government has been admitted as the goal of British rule in India, it has been conveniently thought of as a fixture to be reached by Indians by such imperceptible progress as may be compatible with the maintenance of the present order of things in all essentials. And even when this imperceptible rate of progress has brought them to a touching distance, responsible authorities speak of that goal as though it had automatically moved away from the people as they advanced towards it. The fact is each generation admits it as a goal, but not as one to be actually reached in that generation. When it comes to a matter of entering the citadel the authorities defend it as an inheritance which they are pledged to bequeath to their heirs. Thus as the country advances the goal is moved away. So long as ninety-five years ago Sir Thomas Munro wrote: "There are two important points which should

always be kept in view in our administration of affairs here. The first is that our sovereignty should be prolonged to the remotest possible period, and the second is that whenever we are obliged to resign it, we should leave the natives so far improved from their connection with us as to be capable of maintaining a free or at least a regular Government among themselves." And still we continue to hear from the lips of Anglo-Indian rulers the consoling statement that Self-Government is the goal of British rule! If to-day the British are compelled to leave India, by no means a malicious, dreamy assumption, in what a helpless, chaotic condition will they not have to leave it? Apart from what was necessary to raise the revenues and to perpetuate their rule, what have they done towards Sir Thomas Munro's contingency? We see nothing but a gaping void. Nothing but desolate, unfilled chasm after chasm. And who is responsible? The Civil Service.

The fact is, it is unnatural to expect a guardian who benefits by his trust to equip his ward to a full and independent control of what is his. An ordinary court of law of the first instance will set aside such a guardianship as against equity, as iniquitous, in fact as against "law of nature." Under this rule of the proxy whose interest is not liable to terminate, and subject to a distant, absentee principal, the goal can never be reached. Even in such a matter as the independence of the judiciary in India according to the testimony of Sir Richard Garth, an eminent Chief Justice of Bengal, "if the Government had its will, the independence of the judges would be still further controlled, and the High Courts themselves made subservient to the will of the executive." The

combination of judicial and executive functions, which he has described as " a scandalous system," as a " shameful abuse," and by which even to this hour the Civil Service is standing, will, he said, " bring its retribution." With such a record as this in a matter of administration pure and simple, how can it render a different account of itself in matters which will effectually disestablish its powers as the governing body ? How can it tolerate the growth of Self-Government under its shadow ? Verily, verily can the camel pass through the eye of the needle, but not the Civil Service voluntarily through the enabling provisions for India to become self-governing.

Its policy after the outbreak of the War has deepened the conviction of the people that unless they throw off the yoke of the bureaucracy they will have to face a future without hope. Never before had the genius of the Civil Service appeared at such a low ebb, as an absolutely dead asset in the future of the country, as during the last three years of the War. No elevating example came from it. No inspiring self-sacrifice owed its origin to its initiative. It gave up nothing that contributed to its luxuries on the heights or on the plains at the expense of the public revenues. It actually obtained an unheard-of compensation for lack of promotion during war-time. It courted every opportunity for adding to its own emoluments and of the European commercial agencies in immediate contact with it. The zeal of heads of Provincial Governments in regard to War Funds by the side of such glaring conduct of the Civil Service appeared as a process of exploiting the liberality of a section of the wealthier members of the community with an inborn weakness for the smiles of the bureau-

cracy which portend in their view titles to come. But what it failed to do in setting a higher example is as nothing when compared with the obstructive policy which it adopted to stem the tide of demands for reform. The decision of the High Court of Bombay in the case brought against Mr. Tilak by the executive, the cancellation at the instance of the Secretary of State of the orders of internment of the Government of Madras, the apology that had to be tendered by the Viceroy for the irrelevant and provocative declamations of the Lieutenant-Governor of the Punjab in the Imperial Legislative Council, the Circular of the Government of India itself issued to the Local Governments in regard to their attitude towards Self-Government for India, the contents of which still remain undisclosed—all these throw a flood of light as to what the bureaucracy aimed at after the change in the angle of vision had been admitted by Mr. Charles Roberts, M.P., as Parliamentary Under-Secretary for India. These facts, however, pale into insignificance by the side of the stimulation of caste and sectarian antagonisms as political issues by prominent members of the Civil Service and the crop of memorials and deputations to which it led, submerging the discussion of the reform scheme under a dense miasma of communal claims in which nothing but communal antipathy, much of which of quite a recent origin, could be understood. All these we owe to the genius, the good faith, the elevated sense of duty and the devotion to higher ideals of that section of the bureaucracy which guides the State policy of India. Indian experience of this policy of divide and debase—not simply divide and rule—and of the attempt to uphold the bureaucratic form of

Government as the Government established by law in British India, to speak against which is to be guilty of sedition, as though it is identical with the British Crown—Indian experience of all these within the last thirty months has shown beyond doubt that what India wants to terminate the bureaucracy feels pledged to perpetuate. Accustomed only to obey, trained to issue and carry out orders, it is incapable of counting in the cause of Indian Reform except as a power that does not want to be dislodged—if it can help it. Its be-all and end-all is only to take care of itself. It is none of its concern what may become of India in future, or what becomes of the Empire at present. A certainty before the War, it has now become a post-War experience—the last reality in the Imperial problems of Great Britain—that with its consent the bureaucracy cannot be ousted from its place, and it will not consent to be ousted without calling to its aid all its resources in silent action and open hostility.

The truth is, unless what is regarded as an end becomes also the means, the end will never be attained. For anything else as means will only continue to keep us from the end. If Self-Government be the end, the continuance of the bureaucracy as a means to that end will never take us to it, any more than the tempting visitor to the Garden of Eden could have taken its inmates to the gates of Paradise. And the longer the people continue under it the more and more unfit will they become for Self-Government. As a fact, many a manly virtue the nation has lost since it came under the bureaucracy—and it is now, pitiably enough, a nation of litigants—as a civil population. How long, how long after Sir Thomas

Munro's stainless dictum is England still to labour in the conviction that a means so antagonistic to the end can achieve the end? The East, which knows higher verities than the West, knows that unless the end becomes the means, the end and the means will continue to stand divorced, however much we may seem to be brought near the end by other means. In a word, to expect the bureaucracy to give political manumission to India will be expecting the person in possession of the goose that lays the golden eggs to give it freedom of habitat.

England's position towards India is, on the other hand, different, and its ideal towards India is also different. And now, strong after trial, clear in vision after experience, when the mists of doubt of India and the fog of misplaced trust in nations of her own civilisation have rolled away from her, hers is not the place of an unworthy henchman of an unnatural system that leaves a nation increasingly impotent from year to year. Her outlook cannot be limited to the purposes of her proxy. To liberate India from the thraldom of the proxy is her national duty now. Nor can British statesmen delude themselves into the belief that, if they have been negligent in the past in exercising control over their proxy in India, they can hereafter be more alert and exacting in their control. The time for that better control from England is past, and the hour is come for control being established in India, subject to the powers of veto and sanction of the Crown in England. Instead of this, to continue any longer under the domination of the miserable half truths and untruths wafted as the very breeze of this Upas will be for her to belie the present and betray the future with a criminal

disregard of national conscience and honour. The call is for a new era of an unblemished and manly realisation of ideals and endeavours, far more sublime and vitalising than have affected nations till now, and out of which a new civilisation is to emerge to make for a higher right than that based on physical power, a sounder economics than that contained within tariff walls, and a more effective internationalism than that now secured by expedients as powerless as door-mats. If in this new era India is not to be a subject of international discord and jealousy, it must enter on its heritage without being debarred or put off by the direct or indirect voice of the vested interests on the spot. Such a contingency will also be to debar and put off Great Britain entering on its heritage in India, much nobler than what has fallen to her lot till now. Whether it will lend its ear to-day to succumb to that voice after all or will overrule it for the splendour of the Commonwealth to be is the one supreme thought exercising the higher mind of India at this critical juncture in the annals of the Empire and the history of bloodless revolutions. India has earned the right by all tests and standards, and according to all disinterested testimony, to be free within a free Empire. It is for England now to decide whether there will be a free India and a free Empire, or an India and an Empire without freedom, and a world without one material guarantee of future peace.

There may possibly be a spurious impression that there is a want of unanimity in regard to India's fitness or desire for efficient autonomy amongst Indians themselves, if not in all provinces, in one province at least. Nothing can be more misleading and less warranted than such a conclusion. Not

even the most reactionary supporters of the bureaucracy from among Indians even of that single province have come forward to call in question the announcement made in the House of Commons on August 20, 1917. None of them took exception to the policy of that statement. During Mr. Montagu's tour in India, when addresses on the Reform of the Indian Constitution were presented to him by numerous bodies of varying degrees of representative worth, not a single body advocated the continuance of the present order. There were differences as to the ways and means of effecting the devolution of power from the present custodians to popular bodies—but no note was struck denying the need for such a devolution. And if in regard to any scheme of reform one should expect an absence of difference, a solid unanimity of opinion, then one should be prepared to wait in vain for the day that will never come and has never come in the history of politics, sociology, or religion. If a few years back, before the passing of the Veto Bill, a friendly foreigner like the President of the United States should have travelled through the United Kingdom on a friendly mission, receiving addresses and deputations and holding interviews with men of all parties, to compose differences or arrive at a unanimous verdict of public opinion, a solid vote without a dissentient voice, to settle the constitutional difference between the majority in the Commons and the majority in the Lords, what a wild-goose chase would he have not entered upon—what a mirage would he not have attempted to clutch at! No question of any consequence in the history of any country was made to wait for want of unanimity. Was Morley's scheme fortunate enough to

get it ? Was his special preference to the Mahomedan community based upon a unanimous vote ? Is there anything in the present system of administration in India for which even a pronounced majority can be obtained by a referendum among men of education, or wealth—or even among the thinking section of the Civil Service ? In regard to so fundamental a matter as the continuance of British sovereignty over India—have not the authorities admitted by their action against and conviction of persons accused of conspiracy against British rule that the British possession of India lacks unanimity ? Let not British authorities be misled by looking forward to an exceptional consensus of opinion as regards any scheme of devolution of power from the bureaucracy to representative bodies. It is true that the final responsibility in regard to every matter of any importance should be with the Crown until such devolution is satisfactorily effected. Under this reservation the time is come to begin a process of devolution, retaining the legislative machinery mainly as it is so far as franchise is concerned ; providing for direct representation through local assemblies so as to bring into existence a representative form of Government ; and finally doing away with the veto and sanction of the Crown as an agency in the internal administration of the country. The veto of the Crown over self-governing Colonies is now a political, sovereign veto confined to matters of importance outside the sphere of strictly internal affairs. This is complete Self-Government. But this is not what is advocated in this work. If it were so, the communal and caste difficulties, the want of experience, and the stakes involved might warrant some hesitation on the

part of British statesmen. On the other hand, I recognise, such a form requires our growing what I may call organs of political representation and control. Until such growth has begun to manifest itself the veto of the Crown will not be merely a political or sovereign veto, but an administrative veto, relating as it will to internal matters whenever the Executive may differ from the Legislature. Secondly, in Colonial matters there is only a power of veto—but no power of sanction of legislative or financial proposals not emanating from the Colonial Legislature — whereas in regard to India in the tentative scheme of devolution proposed for the present period such a power is reserved for the Crown. Between the stage when the Executive will cease to exercise its present powers of Government and the period when a machinery of Self-Government will come into existence to exercise powers analogous to those exercised by Colonial Legislatures, the Crown makes the adjudication between the Executive and the Legislature. During this period formation of district assemblies, electoral reforms, formation of a chamber of deputies, and lastly reorganisation of provinces may all be completed. The present Executive and the Legislature will effectuate all these reforms with the Crown to adjudicate on their differences, while the routine of administration will go on subject to the authority of these three constitutional factors. At the same time as this process is undergoing completion an Indian Executive Service wholly recruited in India on a scale of pay which the country can afford would have come into existence to displace the present Civil Service—as a self-governing India must have a Service recruited in India and composed of Indians with provision for

necessary exceptions. Provision has been made for the evolution of such a service also.

If necessary, a permanent Board of Adjudication for these purposes may be constituted in England, consisting of the Secretary of State for the time being and two leading Parliamentarians. All references proposed to be made to the Secretary of State may be submitted by him to such a Board and the decision may be given effect to as that of His Majesty's Minister for India. It need scarcely be emphasised that such a Board of Adjudication is no more an Advisory Board than the Judicial Committee of the Privy Council, exercising as it will a constitutional privilege under Parliamentary Statutes, and exercising it only for giving a decision in a matter of difference between the Indian Executive and the Indian Legislature. Nor need there be any misapprehension that this will become a case of governing India from England. For, while it will have the right of giving a binding decision when a reference is made, it will not be open to it to take the initiative in any matter. The fact is under such a system India will come under real British rule, going out of the rule of the proxy; and the significance of India having remained under the British among European Powers will become patent to an extent which no other constitutional or administrative feature can make manifest.

An adjustment of this kind for displacing the bureaucracy as the ruling power of the Indian Empire has become inevitable after a century of government by it. To quail from the accomplishment of this task will be for British custodians of India to leave it to enter upon a career counselled by the belief that the country must shift for itself, having outgrown all

that Great Britain can possibly do for it. If there is no room for expansion, if the Indian Constitution should be deemed to be inelastic, the expansion from within must make its way, breaking open the mechanism, or the forces of expansion must shrivel with the lapse of time. The question of questions for the self-governing British Federation now is to decide if India, with its past, with its record under British rule, and with its magnificent part in this Imperial and World crisis—whether India in having come under British rule has entered into an elastic and expanding invention of human will and choice, or into a nailed coffin, or a shell which must be burst open from within. The bureaucracy and the exploiting agency which is its coadjutor will prefer to have it a coffin, while the irreconcilable extremists will prefer to look upon it as a shell to be burst open from within. But the vast section of India and the Empire will see its destiny guided as a design of mutual choice and free will on lines of trust, courage, and sincerity. If this should be granted, India ought not to be expected to become a miracle of human virtues and a wonderland of unanimity, or required to remain a marbled patience waiting for the day when the footstep of an *Avatar* will vivify it into the warm breath of life. India cannot be an exception to the rest of the civilised world in any of these respects. The dominant note has to be realised, a scheme of transition introduced, and while Great Britain assumes direct responsibility, the country must be fitted up with the machinery for becoming a fully self-governing part of the Empire while this responsibility lasts.

This, in brief, is the task of England, a strenuous task indeed, full of purpose, intent, and momentum—a

task that must be entered upon to avert England's failure and India's plunge into the formulation of truly catastrophic changes. Furthermore, it is plain to all that unless England makes up her mind to solve the Indian problem with a will of her own, there will continue to be rival demands and schemes and vacillation and discord. England cannot continue to have India as an eternal infant to be protected by her wet and dry nurses or by herself in direct possession of the political baby. She must make Indians understand that they must behave as men, who will have to take care of their hearth and home, of their heritage and their future. She must do this with the earnestness of a labourer of God, of a nation with a mission which is resolved to work while it is day, for the night may at any time come when no man can work. An impulse felt so, translated into deeds with a sense of sanctified sincerity, will impart to India a freshness of purpose, a youthfulness of gait and enterprise, and a manly self-regard as though from a galvanic battery a new life has been imparted to the oldest of civilisations. It will be like the succession of a spring to a long course of winter, and the flowers and fruits will be England's and the world's also. When such an impulse has been imparted, even the Civil Service will manfully and nobly forget the past, and Indian dissensions will culminate in a pæan of joy for a new political brotherhood to which History will extend an admiring welcome as a flower unknown in the past, as the fruition of Indo-British connection, the fulfilment in part of the ideals of the British Constitution, and the making of the future of a civilisation that has never been too old or too young to be of service to humanity.

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